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Report of the Economic and Social Council

Programme budget for the biennium 2010-2011

Revised estimates resulting from resolutions adopted by the Economic and Social Council at its substantive session of 2010

Report of the Secretary-General

Summary

The present report details budgetary requirements resulting from resolutions adopted by the Economic and Social Council at its substantive session of 2010. The additional expenditure requirements arising from those resolutions are estimated at $34,100 under the regular budget, all of which will be absorbed within the resources provided under the programme budget for the biennium 2010-2011. Requirements for the biennium 2012-2013 are proposed to be addressed in the context of the proposed programme budget for the biennium 2012-2013.

* A/65/150.

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I. Introduction

1. The present report is submitted to inform the General Assembly of the additional requirements resulting from resolutions adopted by the Economic and Social Council at its substantive session of 2010.

2. One of the resolutions adopted by the Council authorized the Ad Hoc Advisory Group on Haiti to continue its work, and two resolutions, one recommended by the Commission on Narcotic Drugs and one by the Commission in Crime Prevention and Criminal Justice, for approval by the Council and subsequent adoption by the General Assembly, called for the "realignment of the functions of the United Nations Office on Drugs and Crime and changes to the strategic framework". The provisions in the programme budget for the biennium 2010-2011 were reviewed with a view to responding to the relevant mandates and to the review undertaken to determine the likely impact of the resolutions on the proposed programme budget for the biennium 2012-2013. In accordance with rule 31 of its rules of procedure, the Council was provided, where appropriate, with a statement of programme budget implications prior to the adoption of the resolutions.

3. In its report on the revised estimates resulting from resolutions and decisions adopted by the Council at its substantive session of 1999 (A/54/7/Add.2), the Advisory Committee on Administrative and Budgetary Questions requested that future reports on the subject contain full cost estimates, including both conference and non-conference costs, of additional requirements. In response to that request, the additional requirements resulting from the resolutions adopted by the Council in 2010 to be financed from the existing provisions of the programme budget for the biennium 2010-2011, and those estimated to be required in the context of the proposed programme budget for the biennium 2012-2013, are described below and are summarized in the annex to the present report.

4. With regard to resolution 2010/28, the attention of the Economic and Social Council was drawn to the provisions of section VI of General Assembly resolution 45/248 B, and to subsequent resolutions, the most recent one being resolution 64/243 of 24 December 2009, in which the Assembly reaffirmed that the Fifth Committee is the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters and also reaffirmed the role of the Advisory Committee on Administrative and Budgetary Questions.

II. Additional requirements entailed by resolutions adopted by the Economic and Social Council

A. Resolution 2010/28: Ad Hoc Advisory Group on Haiti

5. Under the terms of operative paragraphs 13 to 18 of resolution 2010/28, the Council:

(a) Decided to extend the mandate of the Ad Hoc Advisory Group on Haiti until the substantive session of the Economic and Social Council in 2012;

(b) Expressed its satisfaction to the Secretary-General regarding the support provided to the Ad Hoc Advisory Group on Haiti, requested that he continue to strengthen the support for the Advisory Group's activities adequately, from within

existing resources, and invited Member States to enhance their support for the work of the Advisory Group, including through voluntary contributions;

(c) Recommended that full use continue to be made of the United Nations capacity to mobilize international efforts and aid and that the leadership role of the United Nations in this respect be recognized and promoted on the ground;

(d) Requested the Ad Hoc Advisory Group on Haiti, in accomplishing its mandate, to continue to cooperate with the Secretary-General and his Special Representative and head of the United Nations Stabilization Mission in Haiti, the United Nations Special Envoy for Haiti, the United Nations Development Group, the Interim Haiti Recovery Commission, the Haiti Reconstruction Fund, relevant United Nations funds and programmes, the specialized agencies, the Bretton Woods institutions, regional organizations and institutions, including the Economic Commission for Latin America and the Caribbean, the Organization of American States, the Caribbean Community, and the Inter-American Development Bank, and other major stakeholders;

(e) Invited additional members to participate in the work of the Ad Hoc Advisory Group, taking into account the need to include those that can make a positive contribution to the attainment of its objectives;

(f) Requested the Ad Hoc Advisory Group on Haiti to report on its activities in support of the recovery, reconstruction and development of the country with recommendations, as appropriate, to the Economic and Social Council for its consideration at its organizational and substantive sessions of 2011.

6. It is recalled that, in the report of the Secretary-General on the revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive session of 2009 (A/64/344), which contained similar requests, the General Assembly was informed that all efforts would be made to meet the Group's estimated requirements of $12,200 under section 9, Economic and social affairs, of the programme budget for the biennium 2010-2011. The Ad Hoc Advisory Group on Haiti travelled to Haiti in June 2010 at a total cost of $7,300, which reflects the level of support provided to date to the Advisory Group.

7. The Council was informed at the time of the adoption of resolution 2010/28 that provisions estimated at $34,100 would be required to support the activities of the Ad Hoc Advisory Group. The requirements would consist of: (a) travel, daily subsistence allowance and terminal expenses for all members of the Advisory Group and one staff member of the Department of Economic and Social Affairs to conduct a consultation meeting with Bretton Woods institutions in Washington, D.C., in February 2011 and to undertake a mission to Haiti in April 2011 ($31,600); and (b) meeting support service requirements in Haiti ($2,500), for which provisions have not been made in the programme budget for 2010-2011.

8. Taking into account that the actual requirements for financing activities of the Advisory Group in 2010 amounted only to $7,300, it is anticipated that the requirements of $34,100 to provide for one mission each to Haiti and Washington, D.C., in 2011 and related meeting support service requirements would be met within the resources approved for section 9, Economic and social affairs, of the programme budget for the biennium 2010-2011. Accordingly, no additional appropriation would be required from the General Assembly.

B. Resolutions 2010/17 and 2010/21: realignment of the functions of the United Nations Office on Drugs and Crime and changes to the strategic framework

9. Under the terms of operative paragraphs 6, 7 and 13 of resolutions 2010/17 and 2010/21, the Economic and Social Council recommended that the General Assembly:

(a) Recall that, in Commission on Crime Prevention and Criminal Justice resolution 18/6 and in Commission on Narcotic Drugs resolution 52/14, the Commissions decided that the consolidated budget for the biennium 2010-2011 for the United Nations Office on Drugs and Crime (UNODC) should contain adequate provisions for the establishment of a sustainable, effective and operationally independent evaluation unit, and urge the Secretariat to swiftly implement that decision and commence with the re-establishment of the independent evaluation unit without further delay;

(b) Request the Executive Director of UNODC to ensure the sustainability of the Strategic Planning Unit, consistent with the importance of its functions;

(c) Request the Secretary-General, in his proposed programme budget for the biennium 2012-2013, to devote due attention to the resource requirements for meeting the mandates entrusted to UNODC, taking into account the relevant crime prevention and criminal justice mandates and the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, with particular focus on underresourced areas.

10. The statements on the financial implications of resolutions 2010/17 and 2010/21 were annexed to the reports of the Commission on Crime Prevention and Criminal Justice[1] and the Commission on Narcotic Drugs (E/2010/28).[2] Those statements reported that, at the time of the adoption of Commission on Crime Prevention and Criminal Justice resolution 18/6 and Commission on Narcotic Drugs resolution 52/14, the Commissions were informed that in response to the terms of their resolutions, an independent evaluation unit would be established under the Office of the Executive Director. The unit would be funded partly through redeployment of resources from the regular budget of the United Nations and partly through voluntary contributions. It was proposed to redeploy the vacant regular budget post at the P-5 level of Chief, Strategic Planning Unit, allocated under subprogramme 2, Policy and trend analysis, to executive direction and management of section 16, International drug control, crime and terrorism prevention and criminal justice.

11. The statements of programme budget implications also provided information regarding the fact that in addition to the P-5 post funded under the regular budget (through redeployment of one vacant P-5 post), voluntary contributions would be required to ensure the effective and operational functioning of the Independent Evaluation Unit. To be fully operational, the Unit would need:

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[1] *Official Records of the Economic and Social Council, 2010, Supplement No. 10* (E/2010/30), annex VI.

[2] Ibid., *Supplement No. 8* (E/2010/28), annex IX.

(a) To be staffed as follows: one P-5 post, head of Unit, funded from the regular budget of the United Nations, and five posts funded from voluntary contributions (one P-4, one P-3, one P-2 and two General Service (Other level));

(b) To be provided with an operational budget for evaluation work. In addition, there would be a requirement of $1,560,000 per biennium to be funded from voluntary contributions. The current level of voluntary contributions available for evaluation is $800,000, with a requirement for an additional $760,000 to ensure the effective functioning of the Independent Evaluation Unit during the biennium 2010-2011.

12. In response to the request of the Commission, the Independent Evaluation Unit has been re-established and placed in the Office of the Executive Director, while strengthening the Unit's functional and operational independence. At the beginning of 2010, the P-5 post, funded under the regular budget, was administratively redeployed from subprogramme 2 to executive direction and management. It would be regularized in the programme budget for the biennium 2010-2011 should the General Assembly endorse the permanent move of the post. Meanwhile, an Officer-in-Charge is directing the activities of the Unit. The recruitment process for the P-5 post has been initiated; the post was advertised on 9 March, 2010. The Unit is currently composed of one P-4 and one General Service (Other level) post funded from voluntary contributions, and two Junior Professional Officer posts will be filled before the end of 2010.

13. As a consequence of the proposed assignment and redeployment of the P-5 regular budget post (Chief, Strategic Planning Unit) to the Independent Evaluation Unit, the Strategic Planning Unit is currently fully funded from voluntary contributions and consists of one P-4 post, one P-3 post and one General Service (Other level) post. To ensure the proper undertaking of strategic planning functions, resources would be required to provide for six posts (one P-5, one P-4, one P-3, one P-2 and two General Service (Other level)) and an operational budget. This would represent a requirement of $1,680,000 per biennium to be funded from voluntary contributions. The current level of voluntary contributions available for strategic planning being $739,200, an additional $940,800 would be required to ensure the effective functioning of the Strategic Planning Unit in the biennium 2010-2011.

14. Adoption by the General Assembly of the resolutions recommended by the Economic and Social Council would not entail any additional appropriation under the programme budget for the biennium 2010-2011. Resource requirements for the biennium 2012-2013 would be considered in the context of the proposed programme budget for the biennium 2012-2013.

III. Conclusions and action required of the General Assembly

15. **The programme budget implications of the resolutions adopted by the Council at its substantive session of 2010 would give rise to additional requirements of $34,100, under the programme budget for the biennium 2010-2011, as summarized in the annex. This amount is, however, proposed to be absorbed in its entirety under section 9, Economic and social affairs ($34,100). Accordingly, no additional appropriations are sought over and above the level of funding approved for the programme budget for the biennium 2010-2011.**

16. **For the biennium 2012-2013, it is proposed that the requirements under section 16, International drug control, crime and terrorism prevention and criminal justice, will be reviewed in the context of the preparation of the proposed programme budget for the biennium 2012-2013. Complementary extrabudgetary funds for evaluation required in the biennium 2010-2011, under section 16, International drug control, crime and terrorism prevention and criminal justice, will continue to be sought.**

17. **The General Assembly is requested to:**

Approve the redeployment of one P-5 post of Chief, Strategic Planning Unit, from subprogramme 2, Policy and trend analysis, to executive direction and management, as Chief, Independent Evaluation Unit, under section 16, International drug control, crime and terrorism prevention and criminal justice.

Annex

Summary of requirements resulting from resolutions of the Economic and Social Council at its substantive session of 2010

			2010-2011	*2012-2013*
Resolution	*Title*	*Budget section*	*Requirements for expenditure (to be absorbed)*	*Requirements to be dealt with in the context of the proposed programme budget for the biennium 2012-2013*
2010/28	Ad Hoc Advisory Group on Haiti	9	34 100	—
Total			**34 100**	—

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Programme budget for the biennium 2010-2011

Revised security management framework and revised estimates relating to the programme budget for the biennium 2010-2011 under section 5, Peacekeeping operations, related to a strengthened and unified security management system for the United Nations

Report of the Secretary-General

Summary

The present report comprises the revised framework for accountability of the United Nations security management system, including an update on the implementation of the new security level system that will replace the long-standing security phase system in January 2011 and a funding proposal for strengthening safety and security in high-risk locations, following an in-depth analysis of the position of the United Nations (see A/C.5/64/10).

Section I is submitted pursuant to paragraph 139 of General Assembly resolution 64/243, in which the Assembly endorsed the conclusions and recommendations of the Advisory Committee on Administrative and Budgetary Questions relating to safety and security for the biennium 2010-2011.

Section II is submitted pursuant to section VI, paragraph 3, of General Assembly resolution 64/245, in which the Assembly endorsed the conclusions and recommendations of the Chair of the Advisory Committee (see A/C.5/64/SR.20 and Corr.1) relating to additional emergency resources to enhance the level of security for United Nations staff working in Afghanistan and other high-threat locations. In that respect, the resource requirements for strengthening the safety and security of United Nations staff and premises at the United Nations Military Observer Group in India and Pakistan are presented in section II.

The actions to be taken by the General Assembly are set out in section III.

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I. Revised framework for accountability of the United Nations security management system

A. Background

1. In its resolution 56/255, the General Assembly noted with concern the lack of an accountability and responsibility mechanism in the area of field security and requested the Secretary-General to submit to it a report thereon. In response, the Secretary-General introduced the initial 2002 framework for accountability for the United Nations security management system (A/57/365), which the Assembly welcomed in its resolution 57/155.

2. The framework was revised by the Inter-Agency Security Management Network at its annual meeting in April 2005 and included in the report of the Secretary-General on a strengthened and unified security management system for the United Nations (A/61/531). The General Assembly, in its resolution 61/263, adopted the current framework for accountability.

3. Following the attack in Algiers in 2007, the report entitled "Towards a Culture of Security and Accountability" of the Independent Panel on Safety and Security of United Nations Personnel and Premises Worldwide (commonly referred to as the "Brahimi report"),[1] highlighted the need for the framework for accountability to be reviewed in order to identify where further clarity might be needed.

4. Based on guidance from both the United Nations System Chief Executives Board for Coordination (CEB) and its High-level Committee on Management in the third quarter of 2008, the framework for accountability was extensively reviewed and updated by the Department of Safety and Security and submitted to the steering group of the Inter-Agency Security Management Network in 2009. The revised framework for accountability was further refined and submitted to the High-level Committee on Management at its September 2009 session and endorsed by CEB in early October 2009.

5. At the sixty-fourth session of the General Assembly, the Advisory Committee on Administrative and Budgetary Questions was informed of the actions taken with respect to two developments in the United Nations security management system following recommendations made by the Independent Panel on Safety and Security of United Nations Personnel and Premises Worldwide.

6. Subsequently, in its report A/64/7/Add.16, endorsed by the General Assembly in its resolution 64/243, the Advisory Committee:

(a) Noted that the framework for accountability for the United Nations security management system had been revised and indicated that it expected that the revised framework would be submitted to the Assembly at the earliest opportunity (para. 14);

(b) Noted that a new threat-focused concept for a security level system was being developed and piloted and welcomed that approach, and looked forward to the results of the pilot project and the ensuing proposals from the Department of Safety and Security (para. 15).

[1] Available from www.un.org/News/dh/infocus/terrorism/PanelOnSafetyReport.pdf.

B. Revisions to the framework for accountability

7. As a result, the revised United Nations security management system framework for accountability now:

(a) Clarifies the roles and responsibilities of all actors in the United Nations security management system, including those not previously included in the preceding framework for accountability, such as local security assistants and the Executive Group on Security (see item (h) below);

(b) Includes a provision to recognize, without abrogating the responsibility of the host Government for its obligations, that in circumstances where United Nations staff are working in areas subject to conditions of insecurity that require mitigation measures beyond those which the host Government can reasonably be expected to provide, the United Nations has a duty as an employer to reinforce and, where necessary, supplement the capacity of the host Government to fulfil those obligations;

(c) Recognizes the changed environment in which the United Nations security management system is seeking to maintain operations by adopting a "how to stay" rather than "when to leave" approach to security management;

(d) Acknowledges clearly that in accepting responsibility and accountability for security management, fatalities and/or casualties may occur, even though appropriate efforts are being made and measures implemented to reduce to an acceptable level the risks to United Nations staff, premises and assets;

(e) Includes the revised mission statement of the United Nations security management system, which describes three principles by which a robust and cohesive security management system shall adhere;

(f) Details the mechanism by which existing and proposed security management policies, procedures and practices, as well as their implementation, are reviewed and determined;

(g) Further clarifies the decision-making responsibility of the Under-Secretary-General for Safety and Security and how it is conferred;

(h) Refers to the newly established Executive Group on Security (chaired by the Under-Secretary-General for Safety and Security, with its members appointed by CEB) and its role in advising, reinforcing and facilitating rapid decision-making of the Under-Secretary-General for Safety and Security;

(i) Reflects that in supporting the decentralized security management system, designated officials are accredited by the Secretary-General to the host Governments and have the requisite authority to take decisions in exigent circumstances, including on the mandatory relocation or evacuation of staff;

(j) Clarifies that in line with integrated peacekeeping operations, where the Head of Mission serves as the designated official, the security management team may also include heads of components, offices or sections, as specified by the designated official.

8. The revised framework for accountability for the United Nations security management system is included as annex I to the present report, and the roles and

responsibilities of the actors within the security management system are set out in annex II.

C. Security level system

9. The effective functioning of the United Nations security management system is dependent on having appropriate tools available to support the functioning of the system. One of those tools is the security risk management model predicated on security risk assessments in which the risks to United Nations staff, premises and assets are evaluated. The current security phase system, despite a number of revisions since its inception in 1980 to accommodate new operational realities, is incompatible with the security risk management approach now in place.

10. The importance of this issue was highlighted in the report of the Independent Panel on Safety and Security of United Nations Personnel and Premises Worldwide, which, as a matter of priority, called for the replacement of the existing security phase system with a system in which country- and area-based security measures are determined on the basis of the security risk assessment. The recommendation was subsequently taken up by a steering committee of the High-level Committee on Management under the aegis of CEB.

11. At the sixty-fourth session of the General Assembly, the Advisory Committee on Administrative and Budgetary Questions was informed that the Department of Safety and Security was leading a project group to develop a new security level system and pilot testing new guidelines for determining acceptable risk. The Advisory Committee expressed interest in the results of the pilot project and the ensuing proposals (A/64/7/Add.16, para. 15).

12. In view of the significance of the proposals for the effective management of the United Nations security system, the report describes the results of the pilot scheme and the current position of the Department of Safety and Security on their implementation.

13. The project group, which comprised representatives from the specialized agencies, funds, programmes and various departments of the Secretariat, began its work in May 2009 by reviewing threat assessment methodologies, the revised security risk assessment process, the current security phase system and the revised framework for accountability. Based on that review, the group developed the security level system and, over the following months, pilot-tested the system with the security cells and security management teams in five countries/areas that had been approved by the steering committee of the High-level Committee on Management, namely Colombia, Israel/West Bank/Gaza, Kenya, Somalia and the Sudan. The group further revised the system to take account of the suggestions received at the country level.

14. Subsequently, all those involved in the pilot project were requested to conduct a self-test of the security level system on a wider range of locations in each country and to provide their opinions on various aspects of the system through an anonymous survey, the results of which indicated overwhelming support for the security level system over the security phase system.

15. The methodology described above ensured feedback from multidisciplinary groups at each stage of the development and testing of the security level system and

allowed the group to adjust and refine the new model, taking into account a wide range of field considerations.

16. The security level system is designed to support the broader United Nations security risk management process. It is a tool that can accurately and transparently reflect the specific threat-based security environment in which the United Nations system operates and is based on a structured threat assessment that has standardized categories of threats that can be assessed using standardized variables in a uniform way. This allows the same technical analytical process to be applied in all security level assessments worldwide. If there is a change in the security environment, the structured threat assessment can be revised easily and a new security level determined based on the factual information available.

17. In addition to determining a security level, the structured threat assessment in the security level system also informs the risk assessment. As noted in paragraph 9 above, it is in the context of the security risk assessment that risks to United Nations staff, premises and assets from threats in the environment are evaluated, and that assessment forms the basis for decisions on what security measures are needed. This differs from the current security phase system in which a change in the phase automatically triggers security measures and security-related entitlements. The security level system de-links those actions. Decisions made on the basis of the security risk assessment (and not the security level system) provide increased flexibility and fully support the new philosophy endorsed by CEB in April 2009, namely, a change from a "how to leave" to a "when to stay" mindset, which is intended to facilitate the continuing implementation of the mandates and activities of the United Nations system.

D. Implementation of the security level system

18. To ensure the effective transition from the security phase system to the security level system, an implementation date of 1 January 2011 was established, which allows for the implementation of the system to be carried out in three stages:

(a) Training: between March and September 2010, all security officers and officials in the United Nations security management system will have received training on the security level system and will have commenced preparation of the security levels in their countries. For those countries identified by the Department of Safety and Security as having complex security environments, training is being provided for the security management team and briefings are being provided to host Government officials, as appropriate;

(b) Preparation: by 30 October 2010 the security levels in all countries will have been determined, providing security professionals and the security management teams with an opportunity to apply and work with the security level system in their country/area before full implementation;

(c) Validation: by 30 November 2011 the Department of Safety and Security will have validated all security levels.

19. This preparatory period will also allow staff to be effectively informed of the new security level system through an information campaign consisting of brochures, posters, a list of frequently asked questions and briefings by security officials and officers to ensure that staff have a clear understanding of the new system.

20. As with any new system, the security level system may require small adjustments based on feedback during the preparatory period. Nonetheless, it is a major step forward in resolving the shortcomings of the security phase system, strengthening the United Nations security management system and enabling the efficient and effective implementation of United Nations system mandates, operations and activities.

E. Guidelines for acceptable risk

21. Also in support of the "how to stay" paradigm, and acknowledging that all risk cannot be totally eliminated, guidelines for acceptable risk have been developed that describe how the United Nations can accept higher levels of residual risk (i.e. whatever risk remains after risk management strategies have been applied) when there is a need to implement vital programmes. In so doing, the guidelines provide a basis on which risks may be balanced against the importance of the programme and also recognize that the higher the residual risk, the higher the level of collaboration and decision-making needed. For example, the Executive Director of the particular organization must be involved, along with the Under-Secretary-General for Safety and Security, in decisions to undertake extremely important programmes in situations of very high residual risk.

22. The project group pilot-tested at the same time the guidelines for acceptable risk and the security level system in five countries. While feedback from pilot test participants was very positive on the model, it was recognized that the part of the model dealing with determining "programme criticality" required clear definitions and the establishment of a clear framework for decision-making. Subsequently, the High-level Committee on Management established a high-level working group to examine those issues more closely with a view to presenting its conclusions to CEB at its spring 2011 session.

II. Revised estimates relating to the programme budget for the biennium 2010-2011 under section 5, Peacekeeping operations

A. Background

23. On 10 March 2010, in a statement to the General Assembly at the first part of its resumed sixty-fourth session (see A/C.5/64/SR.26), a representative of the Secretary-General provided an update on the Secretariat's response to the general security situation in Afghanistan and other high-threat locations, which had been brought to the attention of the General Assembly in a letter from the Secretary-General dated 9 December 2009 (A/C.5/64/10). The deterioration of the general security situation was acknowledged by the Secretariat. However, at that stage it was not in a position to provide a detailed proposal for Afghanistan and other high-threat locations owing to the limited time available to examine the security enhancement options and the necessity to consult with agencies, funds and programmes to gain their agreement on the jointly financed funding portion where services or facilities are not appropriately funded by the regular budget.

24. Since then, the agencies, funds and programmes present in Afghanistan and Pakistan, as well as the United Nations Assistance Mission in Afghanistan, have continued to invest in their respective security needs. The Department of Safety and Security provided additional support in the supply of essential security equipment for Pakistan.

25. Recent attacks in Pakistan include the incident at the World Food Programme compound in October 2009 and the January 2010 attack in Muzaffarbad, close to the United Nations Children's Fund office. The Department of Safety and Security determined that the United Nations Military Observer Group in India and Pakistan (UNMOGIP) was vulnerable, and a security assessment was conducted at the headquarters compound of UNMOGIP to identify gaps and recommend immediate mitigation measures.

26. The security assessment indicated that, in order to face the current security challenges, enhanced measures should be implemented in the form of immediate improvements to the physical security of the headquarters compound as well as additional security staff.

27. The current headquarters compound in the diplomatic enclave was given to the United Nations by the host Government in 1991. The UNMOGIP headquarters moved to this plot from Rawalpindi on 1 November 2007 because of damage to the headquarters caused by an earthquake. The present proposal takes into account the improvements already covered in the programme budget for the biennium 2010-2011 and proposes additional requirements such as blast walls, Hesco bastions, security lighting and physical resources that are suitable for the security threat faced by UNMOGIP.

28. UNMOGIP has seven field stations located along the side of Kashmir that is administered by the Government of Pakistan, and its headquarters is located in Islamabad. There are four field stations on the side administered by the Government of India, two rear headquarters in Srinagar and a liaison office in Delhi (military observers and national staff on the Indian side are not affected by the security situation in Pakistan). Furthermore, 26 international and 48 national staff members are present in the Islamabad office. Taking into account the leave, rest and recuperation cycle, it is estimated that an average of 20 international staff are present at all times in the Islamabad office. In addition, 4 military observers are present at all times in the office, with another 7 present for half of the year (while the mission headquarters is based in Islamabad); 18 military observers are located in the seven field stations in Pakistan and 15 in the four field stations in India. The organization chart for UNMOGIP is provided in annex III.

29. In view of the rapidly changing security climate, in which threat levels may fluctuate according to an event or adverse pronouncement, there is a need to make immediate safety decisions at the UNMOGIP compound. This cannot be achieved with the present approach and staffing levels. Accordingly, additional resources are required as reflected below.

B. Resource requirements

Summary of resource requirements of UNMOGIP for 2010-2011, by object of expenditure

(Thousands of United States dollars)

Object of expenditure	*Initial appropriation*	*Additional requirements*	*Estimate*
Posts	9 314.5	147.7	9 462.2
Other staff costs	3 093.8	—	3 093.8
Travel of staff	1 012.8	—	1 012.8
Contractual services	179.2	—	179.2
General operating expenses	1 968.6	—	1 968.6
Hospitality	3.2	—	3.2
Supplies and materials	1 097.8	—	1 097.8
Furniture and equipment	860.2	615.0	1 475.2
Improvement of premises	—	2 396.0	2 396.0
Total (net of staff assessment)	**17 530.1**	**3 158.7**	**20 688.8**

30. On the basis of the Department of Safety and Security's assistance visit to UNMOGIP on 12 November 2009 and the resulting final report dated 6 February 2010, additional resource requirements have been identified as essential for staff security.

Posts ($147,700)

31. The current complement of staff requires strengthening to improve the coverage of basic minimum operating security standards. The proposed posts to be established effective 1 January 2011 are one Chief Security Officer at the P-4 level and one Security Information Assistant at the Local level. The two posts will strengthen the security management structure of the mission to the level required for staff safety and security as determined by the Department of Safety and Security. The Chief Security Officer will advise the Head of UNMOGIP on security matters, interact with local Pakistani security authorities and provide leadership on the full range of security tasks needed to support the mission. The Security Information Assistant will assist in the collection and management of security-related information.

Furniture and equipment ($615,000)

32. A provision of $615,000 comprises the cost of three armoured trucks ($420,000) and 130 flak jackets and helmets ($195,000). The armoured trucks consist of one vehicle to be based in Islamabad for dedicated use by the security section to permit rapid intervention/extraction when mission staff require assistance in the event of a security incident; a second vehicle also based in Islamabad for use on visits to UNMOGIP field stations at Domel (distance 160 km), Rawalakot (distance 250 km), Kotli (distance 230 km), Bhimber (distance 260 km), Sialkot (distance 277 km), Gilgit (distance 750 km) and Skardu (distance 990 km); and a third vehicle to be based in Srinagar for use in crisis situations. These armoured

vehicles are critical in mitigating vulnerability in road movements, especially in areas where there could be roadside bombs and planned attacks. In addition, 130 new flak jackets and helmets are requested to replace flak jackets and helmets that are inadequate for the increased threat level.

Improvement of premises ($2,396,000)

33. The provision of $2,396,000 comprises the costs of replacing existing porta-cabin exterior walls and roofs with a more durable structural external membrane in the amount of $1,450,600; constructing a 12-by-8-metre safe room and a concrete brick wall facade to prevent the effects of vehicle-borne improvised explosive devices ($459,000); purchasing a firefighting system ($337,200); and installing a sally port (Hesco bastions), reinforced main gate, additional perimeter lighting and biometric movement access control ($149,200).

III. Actions to be taken by the General Assembly

34. **The General Assembly is requested to take note of the revised framework for accountability for the United Nations security management system.**

35. **The General Assembly is also requested to:**

(a) **Approve the establishment of two new posts (1 P-4 and 1 Local level) for UNMOGIP effective 1 January 2011 under the programme budget for the biennium 2010-2011;**

(b) **Appropriate a total amount of $3,181,100 under the programme budget for the biennium 2010-2011 comprising increases under section 5 ($3,158,700) and section 35, staff assessment ($22,400), to be offset by a corresponding amount under income section 1, Income from staff assessment.**

Annex I

Inter-organizational security measures: framework for accountability for the United Nations security management system

A. Scope

1. The primary responsibility for the security and protection of personnel employed by the United Nations system organizations, their spouses, recognized dependants and property and the property of the organizations rests with the host Government. This responsibility flows from every Government's normal and inherent function of maintaining order and protecting persons and property within its jurisdiction. In the case of international organizations and their officials, the Government is considered to have a special responsibility under the Charter of the United Nations or the Government's agreement with a particular organization.

2. Without prejudice to the above and while not abrogating the responsibility of the host Government for its obligations, the United Nations has a duty as an employer to reinforce and, where necessary, to supplement the capacity of the host Government to fulfil those obligations in circumstances where United Nations personnel are working in areas subject to conditions of insecurity that require mitigation measures beyond those which the host Government can reasonably be expected to provide; the present framework for accountability specifies the responsibilities and accountabilities of United Nations officials and personnel for such measures.

3. In this regard, the United Nations security management system, in seeking to establish and maintain operations in insecure and unstable environments, adopts the principle of "how to stay" as opposed to "when to leave" as a tenet of its approach.

4. In accepting responsibility and accountability for security management, the United Nations recognizes that fatalities and/or casualties may occur, even though appropriate efforts are being made and measures implemented to reduce to an acceptable level the risks to its personnel, premises and assets.

B. Mission statement

5. The goal of the security management system is to enable the United Nations to conduct its activities while ensuring the safety, security and well-being of personnel and the security of United Nations premises and assets.

6. To achieve this goal, all organizations shall maintain a robust and cohesive security management system and adhere to three principles:

(a) Determination of acceptable risk;

(b) Provision of adequate and sustainable resources to manage the risk to personnel and their eligible dependants, premises and assets;

(c) Development and implementation of security policies and procedures.

C. Governance mechanism

7. The governance of the United Nations security management system as a whole consists of the following elements:

(a) The Inter-Agency Security Management Network (IASMN), consisting of the senior managers who have oversight of security functions within each member organization of the security management system, reviews existing and proposed policies, procedures and practices of the system and their implementation and provides recommendations on them to the High-level Committee on Management;

(b) A comprehensive review of policies and resource-related issues pertaining to the entire United Nations security management system is a standing item on the agenda of the High-level Committee on Management; the Committee reviews the recommendations made by IASMN and either decides on them directly or recommends their endorsement and implementation to the United Nations System Chief Executives Board for Coordination (CEB), which is chaired by the Secretary-General.

D. Actors within the United Nations security management system

Secretary-General

8. Under Article 97 of the Charter of the United Nations, the Secretary-General is the chief administrative officer of the Organization; the mandates promulgated by the principal organs are entrusted to him for their implementation under Article 98. The Secretary-General is thus accountable to the Member States for the proper running and administration of the Organization and the implementation of its programmes, including in the context of this framework, the overall safety and security of United Nations personnel, premises and assets at headquarters and field locations. The Secretary-General can delegate authority to the various Under-Secretaries-General, who are individually accountable to him.

Under-Secretary-General for Safety and Security

9. The Under-Secretary-General for Safety and Security is appointed in writing by the Secretary-General to whom he/she reports and is accountable. The Secretary-General delegates to the Under-Secretary-General for Safety and Security the authority to make executive decisions relevant to the direction and control of the United Nations security management system and the overall safety and security of United Nations personnel, premises and assets at both field and headquarters locations. He/she represents the Secretary-General on all security-related matters and serves as the Chair of IASMN. He/she is responsible for developing security policies, practices and procedures for the United Nations system worldwide and coordinating with the organizations of the United Nations system to ensure implementation, compliance and support with regard to the security aspects of their activities; preparing reports of the Secretary-General on all security-related matters; and advising the Secretary-General on all matters related to the security and safety of the United Nations system.

Executive Group on Security

10. The members of the Executive Group on Security are appointed by CEB. When requested by the Under-Secretary-General for Safety and Security, the members of the Group provide advice and reinforce and facilitate the rapid decision-making authority and accountability of the Under-Secretary-General for Safety and Security, in accordance with its terms of reference. The members of the Group have a responsibility to support the Under-Secretary-General in the discharge of his/her mandate related to the safety and security of all personnel employed by the organizations of the United Nations system and their recognized dependants, premises and assets.

Executive heads of United Nations system organizations[a]

11. The executive heads of the United Nations agencies, funds and programmes are responsible and accountable to the Secretary-General for ensuring that the goal of the United Nations security management system is met within their respective organizations. Without prejudice to their accountability to their own governing and legislative bodies, the executive heads of the specialized agencies and other organizations participating in the United Nations security management system recognize the coordinating role and authority of the Secretary-General in matters related to the safety and security of United Nations personnel and commit themselves to ensuring that the goal of the security management system is met.

Senior security managers and/or security focal points at headquarters

12. The executive heads will appoint a senior security manager and/or a security focal point at their respective headquarters to be responsible for coordinating the organization's response to safety and security and providing the executive head and all the relevant actors with advice, guidance and technical assistance.

Designated officials

13. In each country or designated area where the United Nations is present, the senior-most official is normally appointed in writing by the Secretary-General as the designated official for security and is accredited to the host Government as such. The designated official is accountable to the Secretary-General, through the Under-Secretary-General for Safety and Security, and is responsible for the security of United Nations personnel, premises and assets throughout the country or designated area.[b] The Secretary-General delegates to the designated official the requisite authority to take decisions in exigent circumstances, including, but not limited to, the mandatory relocation or evacuation of personnel. This authority and decisions taken pursuant to it shall remain subject to the authority and review of the Under-Secretary-General for Safety and Security. The designated official is responsible for

[a] Includes the major organizational units of the Secretariat that have heads which are officially accountable to the Secretary-General, other bodies subsidiary or related to the United Nations, such as the agencies, funds and programmes, and organizations participating in the United Nations security management system.

[b] Elected executive heads of specialized agencies appointed as designated officials remain accountable to their respective governing bodies and carry out their designated official functions on the basis of specific bilateral arrangements agreed with the Department of Safety and Security.

ensuring that the goal of the United Nations security management system is met in his/her country or area.

Representatives of organizations participating in the United Nations security management system

14. Representatives of organizations of the United Nations system at the country level who participate in the security management system are accountable to the Secretary-General through their respective executive heads or to the executive heads of the specialized agencies, as appropriate, for all matters related to the security of their personnel at the duty station.

Security management team

15. The security management team will consist of the designated official, who acts as Chair, the head of each United Nations organization present at the duty station and the chief security adviser/officer. The team advises the designated official on all security-related matters.

16. In peacekeeping missions, where the Head of Mission serves as the designated official, the security management team may also include heads of components, offices or sections, as specified by the designated official. The heads of military and police components of peacekeeping missions will always serve as members of the team.

17. The members of the team are responsible for supporting the designated official in the discharge of his/her mandate related to the safety and security of United Nations personnel, premises and assets.

Area security coordinators

18. Area security coordinators are staff members appointed in writing by the designated official, in consultation with the security management team, in areas of larger countries that are separated from the capital in terms of both distance and exposure, in order to coordinate and control security arrangements applicable to the personnel, premises and assets in their area of responsibility. Area security coordinators are accountable to the designated official for their security-related responsibilities, in accordance with their respective letters of appointment.

Chief security advisers/security advisers

19. The chief security adviser/security adviser is a security professional appointed by the Under-Secretary-General for Safety and Security to advise the designated official and the security management team in their security functions. The adviser reports to the designated official and maintains a technical line of communication to the Department of Safety and Security. In countries where a deputy security adviser is authorized, these provisions also apply to that individual.

Chief security officers

20. In some countries where peacekeeping missions are deployed and the Head of Mission is appointed as the designated official for that country or area, there may be no presence of security professionals appointed by the Under-Secretary-General for

Safety and Security. Under those circumstances, the mission's chief security officer will act as a security adviser and assume that level of accountability.

Country security focal points

21. In the absence of a chief security adviser/security adviser, the designated official, in consultation with the Department of Safety and Security and the staff member's employing organization, will appoint an international staff member to act as country security focal point for the security management team. The focal points are accountable to the designated official, through their head of agency, for the security-related responsibilities, in accordance with their respective letters of appointment.

Other security personnel of the Department of Safety and Security

22. The Department of Safety and Security personnel at Headquarters and in the field are responsible for assisting the designated official and agencies, funds, programmes and organizations of the United Nations system and are accountable to the Under-Secretary-General according to the terms of the Department of Safety and Security internal framework for accountability.

Single-agency security officers

23. Single-agency security officers are security professionals hired by organizations of the security management system to advise their respective organizations and to be responsible for the security aspects of activities that are specific to their organizations. Single-agency security officers are accountable to their respective organizations and at the same time are responsible for supporting the designated official under the coordination of the chief security adviser/security adviser.

24. Single-agency security officers act as the chief security adviser/security adviser ad interim for a specified period when required and requested. This is confirmed in writing by the designated official, following consultation with the relevant head of agency, and includes the terms of reference of the chief security adviser/security adviser for accountability purposes.

Local security assistants

25. The local security assistant is recruited at the country level by the Department of Safety and Security, an agency, fund or programme or missions led or supported by the Department of Peacekeeping Operations.

26. Under the immediate supervision of the respective security professional, the local security system provides assistance in preparing security risk assessments, minimum operating security standards, minimum operating residential security standards and contingency plans and monitors the implementation of security policies and procedures and all matters pertaining to the safety and security of personnel, premises and assets. It is important to note that the security professionals maintain responsibility and accountability for safety and security in accordance with the framework for accountability.

Wardens

27. Wardens are appointed in writing by the designated official/area security coordinator, in consultation with the security management team, to assist in the implementation of the security plan. Wardens are accountable to the designated official/area security coordinator for their security-related functions, irrespective of their employer organization.

Personnel employed by organizations of the United Nations system

28. Personnel employed by the organizations of the United Nations system are accountable to their respective organizations. All such personnel, regardless of rank or level, have the responsibility to abide by security policies, guidelines, directives, plans and procedures of the United Nations security management system and their organizations.

E. Conclusion

29. The present framework for accountability provides clear guidance on how to enable the United Nations to conduct its activities while ensuring the safety, security and well-being of its personnel and the security of its premises and assets. This goal may be attained by ensuring that all actors of the United Nations security management system are empowered by providing them with the necessary resources and training and a clear understanding of their roles and responsibilities.

30. The roles and responsibilities of all actors of the United Nations security management system for which they will be held accountable can be found in annex II.

Annex II

Roles and responsibilities of actors within the United Nations security management system

Secretary-General

1. The Secretary-General has overall responsibility for the safety and security of United Nations personnel, premises and assets at headquarters and field locations.

Under-Secretary-General for Safety and Security

2. The Under-Secretary-General for Safety and Security:

(a) Advises the Secretary-General on all matters related to the security and safety of personnel, premises and assets of the United Nations system;

(b) Represents the Secretary-General on all security-related matters;

(c) Leads and manages the Department of Safety and Security;

(d) Chairs the Inter-Agency Security Management Network;

(e) Prepares and publishes an internal framework for accountability documenting individual roles, responsibilities and accountabilities related to safety and security in his/her department;

(f) Oversees the development of security policies, practices and procedures for the United Nations system worldwide;

(g) Coordinates with the organizations of the United Nations system to ensure implementation, compliance and support with regard to the security aspects of their activities;

(h) Prepares reports of the Secretary-General on all security-related matters;

(i) Directs the organizational response to crisis management as required.

Executive Group on Security

3. When requested by the Under-Secretary-General for Safety and Security, or at the request of any Executive Group on Security member, the Group:

(a) Advises the Under-Secretary-General for Safety and Security in situations where a rapid decision is required to avoid loss of life or to resolve an impasse at the security management team level;

(b) Meets as requested by the Under-Secretary-General or confers with the Under-Secretary-General by telephone or other means when the situation does not permit a meeting;

(c) Supports the Under-Secretary-General in the implementation of his/her decision taken in consultation with the Executive Group on Security.

Executive heads of United Nations organizations[a]

4. The executive heads of United Nations organizations:

(a) Implement the "no programme without security, no security without resources" strategy in all programmes;

(b) Ensure that safety and security are core components of all programmes and activities and that security risk assessments are considered and given due priority from the start of all planning processes;

(c) Prepare and publish an internal framework for accountability documenting individual roles, responsibilities and accountabilities related to safety and security for their organization;

(d) Ensure that all managers and personnel working for them not only support the Secretary-General but also discharge their responsibilities in ensuring compliance with the United Nations security management system;

(e) Liaise closely with the Under-Secretary-General for Safety and Security to ensure a coherent system-wide approach to security;

(f) Have a collective responsibility to work together to implement and contribute to the development of the United Nations security management system;

(g) Act as advocates in all available forums to ensure that Member States provide for the safety and security of all personnel, premises and assets of the United Nations system and that crimes against United Nations personnel, premises and assets are not tolerated and the perpetrators are brought to justice;

(h) Have a "duty of care" to ensure that personnel employed by their own organization and the recognized dependants of those personnel are not exposed to unacceptable risk and that all measures are taken to mitigate risks;

(i) Appoint a senior security manager and/or security focal point at Headquarters;

(j) Recognize and reward good performance in security management by including security in job descriptions and performance appraisals, and address cases of non-compliance at all levels in the organization;

(k) Address specific security concerns for women as required.

Senior security managers and/or security focal points at Headquarters

5. The senior security managers and/or security focal points:

(a) Advise the executive head and senior management on security matters and keep them updated on security management issues;

(b) Ensure that representatives of their organization are aware that they must participate fully in the security management team as applicable;

[a] Includes: the major organizational units of the Secretariat that have heads which are officially accountable to the Secretary-General, other bodies subsidiary or related to the United Nations, such as the agencies, funds and programmes, and organizations participating in the United Nations security management system.

(c) Assist in and support the mobilization of resources to assist field offices in the implementation of security requirements;

(d) Serve as a member of the Inter-Agency Security Management Network and other senior-level forums;

(e) Work in close association with the Department of Safety and Security and other members of the Network and support the Under-Secretary-General for Safety and Security in the discharge of his/her responsibilities;

(f) Provide advice to representatives of their organization for the implementation of security policies and procedures as applicable;

(g) Ensure that all personnel of their organization and the recognized dependants of those personnel are aware of security training requirements and facilitate the provision of security training and briefings;

(h) Disseminate information and educational materials regarding security matters;

(i) Monitor and report on compliance with security policies, practices and procedures.

Designated officials

6. The designated officials:

(a) Implement the arrangements detailed in United Nations security policies and procedures and develop and implement the required plans for the duty station with the aim of maintaining the security and safety of United Nations personnel, premises and assets;

(b) Engage with the authorities of the host country to advocate full implementation of the host country's security responsibilities in respect of United Nations personnel, premises and assets;

(c) Apply the security risk management approach to all United Nations activities and operations;

(d) Manage and direct all security activities at the duty station;

(e) Recommend to the Under-Secretary-General for Safety and Security nominations of suitable individuals to act as designated official ad interim; such appointees will be the head of an agency, fund, programme or organization;

(f) Keep the Secretary-General informed, through the Under-Secretary-General for Safety and Security, of all developments in the country that have a bearing on the safety and security of the United Nations system;

(g) In the event that operational matters affect safety and security, communicate this information to the Under-Secretary-General for Safety and Security;

(h) Implement any arrangements decided by the Secretary-General in support of the host Government's measures for the safety and security of United Nations personnel, premises and assets, and maintain liaison with the Government of the host country on matters concerning the safety and security of United Nations personnel, premises and assets;

(i) Collaborate on safety and security matters with intergovernmental and non-governmental organizations working as operational partners of the United Nations system in accordance with established guidelines;

(j) Chair the security management team and submit minutes of its meetings to the Department of Safety and Security;

(k) Keep the members of the security management team, as well as the senior officials of each organization at the duty stations, as applicable, fully apprised of all security-related information and measures being taken in the country;

(l) Include in security arrangements at the duty station staff members of intergovernmental and non-governmental organizations that have signed a memorandum of understanding and their recognized dependants;

(m) Maintain a fully integrated operational communications system for security management;

(n) In consultation with the security management team, appoint area security coordinators and wardens, verify that they are adequately trained and equipped and provide their parent agency with input for the individual's performance appraisal;

(o) Prepare special arrangements, agreed on an inter-agency basis, for the evacuation of internationally recruited personnel and an internal relocation plan for locally recruited personnel;

(p) In an emergency where it has not been possible to communicate with the Under-Secretary-General for Safety and Security, use their best judgement in carrying out relocations/evacuations and report to the Secretary-General, through the Under-Secretary-General for Safety and Security, immediately thereafter;

(q) Provide all United Nations personnel and their recognized dependants with information on specific measures they should take in relation to the security plan and ensure that all such personnel receive adequate and appropriate security training;

(r) Provide all requested reports to the Department of Safety and Security, as outlined in the United Nations security policy handbook or other directives from the Under-Secretary-General for Safety and Security;

(s) Take appropriate action when advised of non-compliance with United Nations security policies, practices and procedures, including referral to the organization concerned, and report serious instances of non-compliance to the Under-Secretary-General for Safety and Security;

(t) Address specific security concerns for women as required;

(u) If applicable, appoint, in consultation with the employing organization, a country security focal point and ensure that the country security focal point receives appropriate training to fulfil his/her responsibilities.

G. Representatives of organizations participating in the United Nations security management system

7. The representatives:

(a) Implement appropriate action to provide for the safety and security of their respective personnel and their recognized dependants at the duty station;

(b) Ensure that safety and security is a core component of their respective programmes in the country and that appropriate funding is provided;

(c) Consult with and assist the designated official on all matters concerning security and on the implementation and maintenance of the security plan, minimum operating security standards and minimum operating residential security standards;

(d) Serve as a member of the security management team;

(e) Advise the designated official, chief security adviser and the respective security focal point at Headquarters on the particular concerns of their organization regarding security;

(f) Ensure full and complete compliance by their personnel and their recognized dependants with all security-related instructions;

(g) Take action on instances of non-compliance with security policies, practices and procedures and advise the designated official on action taken;

(h) Ensure that activities of their organization are conducted in a way that manages the risks to personnel, premises and assets;

(i) On a regular basis, provide the designated official with updated lists of personnel and their recognized dependants in the country;

(j) Routinely advise the designated official regarding the whereabouts and the movement of their personnel and recognized dependants, in accordance with procedures established at the duty station;

(k) Report to the designated official and the respective security focal point at Headquarters all security-related incidents;

(l) Report all recognized dependants residing at the duty station of internationally recruited staff who are serving elsewhere so they are accorded the same provision for security as dependants of international staff serving at the duty station;

(m) Ensure that arrangements are in place for intergovernmental and non-governmental organizations working as operational partners with the United Nations agencies concerned;

(n) Ensure that the movement of all personnel is undertaken in accordance with United Nations system rules and procedures;

(o) Equip their respective personnel with required safety and security equipment as specified in minimum operating security standards and train them in its use;

(p) Require that their respective personnel attend appropriate security awareness training and briefings;

(q) Attend all security training for members of the security management team;

(r) Coordinate activities of agency security personnel, where applicable, with the designated official.

Security management team

8. The team:

(a) Collectively provides advice and support to the designated official;

(b) Meets on a regular basis to review the prevailing situation and ensures that security is being managed effectively at all locations throughout the country where personnel employed by the United Nations system are present;

(c) Ensures that there are functioning and effective security and contingency plans that are maintained and implemented for all locations throughout the country where personnel employed by the United Nations system and their recognized dependants are present;

(d) Ensures that lists of personnel and their recognized dependants are up to date;

(e) Ensures that all area security coordinators and wardens are trained, equipped and able to carry out their responsibilities;

(f) Establishes minimum operating security standards and minimum operating residential security standards, based on a credible security risk assessment, at all locations throughout the country where personnel employed by the United Nations system and their eligible dependants are present, including the monitoring of its implementation and compliance;

(g) Ensures that resources are available to implement all approved measures;

(h) Provides input to the performance appraisal of senior security officers employed in the country by the United Nations system, as appropriate;

(i) Addresses specific security concerns for women as required.

Area security coordinators

9. The coordinators:

(a) Act under the authority of the designated official to coordinate and control the security arrangements for operations in their area of responsibility;

(b) Appoint wardens for their area of responsibility;

(c) Develop and maintain area-specific security plans;

(d) Maintain lists of personnel employed by the organizations of the United Nations system and their recognized dependants at their location;

(e) Coordinate the implementation of minimum operating security standards, based on an up-to-date security risk assessment prepared by a security adviser;

(f) Keep the designated official systematically informed regarding incidents or developments in their area of responsibility that have a bearing on the security

and safety of personnel employed by organizations of the United Nations system and their recognized dependants;

(g) Convene meetings of the area security management team;

(h) Manage the security clearance system for their area of responsibility.

Chief Security Advisers/security advisers[b]

10. The advisers:

(a) Serve as principal adviser to the designated official and the security management team on all aspects of security management, crisis readiness and preparedness at their respective duty stations and in the execution of responsibilities with regard to the security of personnel employed by the organizations of the United Nations system and their eligible dependants, premises and assets;

(b) Participate in and provide security inputs to operational planning;

(c) Cooperate closely on security matters with representatives of organizations at the country level and all other officials of the United Nations system at the duty station to ensure the best possible security management;

(d) Manage the security unit, including personnel, finance, budget and logistics;

(e) Assist with security operations conducted by agencies as requested;

(f) Establish and chair a security cell for duty stations where there are also single-agency security officers in order to ensure that all security officers at the duty station are working together to further security management;

(g) Prepare appropriate records of meetings of the security cell;

(h) Develop contacts with national security agencies with a view to obtaining the best possible protection for personnel employed by the organizations of the United Nations system and their recognized dependants and their property;

(i) Serve as a member of the security management team at the country level;

(j) Undertake security risk assessments for all locations in the country where personnel of the organizations of the United Nations system and their recognized dependants are present and facilitate the implementation of recommended mitigating measures;

(k) Prepare, maintain and update the country-specific security plan, contingency plans and security lists of personnel employed by the organizations of the United Nations system and their recognized dependants;

(l) Prepare and maintain current, feasible and implementable plans for relocation/evacuation to a safe area;

(m) Maintain an effective and functioning security and emergency communications system;

[b] These terms apply to the senior security professional directly supporting the designated official. Where a Chief Security Adviser or security adviser is not present, this term is equivalent to the titles of Chief Security Officer and Chief of Security and Safety Services.

(n) Establish a system for briefing all personnel employed by the organizations of the United Nations system and their recognized dependants upon arrival, providing local security training as necessitated by changes in the security environment and ensuring that such personnel are kept informed of matters affecting their security;

(o) Maintain up-to-date instructions for personnel employed by the organizations of the United Nations system and their eligible dependants on precautions they should take in relation to the implementation of the security plan, including providing a comprehensive listing of emergency supplies they should have on hand and providing guidance on their behaviour during emergencies, including natural disasters and political crises;

(p) Report all cases in which personnel employed by the organizations of the United Nations system and/or their recognized dependants have been victims of crime;

(q) Conduct security surveys of residential areas and premises;

(r) Maintain an appropriate level of confidentiality regarding security matters;

(s) Advise and assist the designated official and the security management team in the development and implementation of minimum operating security standards and minimum operating residential security standards;

(t) Maintain regular communications with their respective regional desk and submit all mandatory reports in a timely manner to Department of Safety and Security;

(u) Report to the designated official and concerned representatives of organizations all instances of non-compliance with security policies, practices and procedures.

Country security focal points (applicable in countries where no professional security staff are assigned)

11. The focal points:

(a) Manage day-to-day security-related matters supported by the Department of Safety and Security;

(b) Maintain up-to-date lists of personnel and their recognized dependants;

(c) Prepare, maintain and update the country-specific security plan;

(d) Submit all mandatory reports in a timely manner to the Department of Safety and Security;

(e) Immediately report all security-related incidents involving United Nations staff and their recognized dependants to the designated official and the Department of Safety and Security;

(f) Assist the designated official and the security management team in the development and implementation of minimum operating security standards and minimum operating residential security standards, based on a security risk assessment;

(g) Serve as a member of the security management team;

(h) Provide information on residential security to international staff.

Other personnel of the Department of Safety and Security

12. The chief security officer and safety services/sections:

(a) Provide for the security and safety of delegates, staff, visiting dignitaries and other visitors within a United Nations complex at Headquarters and offices away from Headquarters;

(b) Assist the chief security adviser and participate in the work of the security cell for the development of security policies and procedures as appropriate;

(c) Prepare, monitor and maintain safety and security standard operating procedures and systems, are responsible for emergency preparedness and crisis management and conduct security risk assessments;

(d) Manage all human resources, financial, budgetary and logistical matters for their respective service/section;

(e) Provide standardized and specialized training for staff and security personnel;

(f) Provide personal protection for United Nations senior officials and dignitaries present and/or visiting their area of responsibility as required;

(g) Advises and assists the designated official and security management team in the development and implementation of relevant minimum operating security standards;

(h) Coordinates with local authorities and local law enforcement agencies;

(i) Cooperates closely on security and safety matters with all other offices of the United Nations system at the duty station to ensure the best possible security management;

(j) Retains day-to-day operational responsibility and reporting in accordance with the reporting lines established for the duty station;

13. The chief security officer for peacekeeping missions (where the Head of Mission is not the designated official and where a Department of Safety and Security chief security adviser is present):

(a) Manages the day-to-day operations of the security section and serves as the mission security adviser to the Head of Mission on all security-related matters;

(b) Coordinates with the chief security adviser and participates in the security cell for the development of security policies and procedures;

(c) Contributes to security risk assessments for all locations in the mission area where personnel are present and actively participates in the planning and evaluation of the effectiveness of the country security plans and other aspects of security operations;

(d) Reviews and monitors activities related to the mission security programme and mission security plans; identifies air and land evacuation requirements to be used in emergencies;

(e) Maintains emergency communications by making periodic checks to determine whether the system is operational and functioning properly;

(f) Establishes a 24-hour emergency response system;

(g) Maintains continuing awareness of prevailing local security conditions, identifying probable threats and advising mission and project personnel to follow appropriate preventative steps;

(h) Provides personal protection for senior personnel or visiting VIPs as required;

(i) Compiles and maintains an updated staff list, which includes all mission personnel, including visiting missions and consultants;

(j) Monitors and evaluates office physical security measures and conducts security surveys of installations and facilities;

(k) Provides training and advice to mission personnel on minimum operating residential security standards, as well as determining the need for such resources.

14. The field security coordination officers (responsible and accountable to the chief security adviser/security adviser):

(a) Implement all aspects of security management, crisis readiness and preparedness at the duty station;

(b) Prepare, maintain and update country-specific security plans, contingency plans and security listings of personnel employed by organizations of the United Nations system and their recognized dependants;

(c) Undertake security risk assessments for all locations in the country/area where personnel employed by organizations of the United Nations system and their recognized dependants are present;

(d) Establish contacts with national law enforcement agencies with a view to obtaining the best possible protection for personnel employed by the organizations of the United Nations system and their recognized dependants;

(e) Conduct security surveys of residences and premises.

Single-agency security officers

15. The officers:

(a) Advise and assist the agency country representative or operations manager on his/her security responsibilities, including participation in operational planning, and provide security inputs, including information regarding compliance with United Nations security policies, practices and procedures;

(b) Advise and assist the designated official, the area security coordinator or chief security adviser in the discharge of his/her responsibilities, as required;

(c) Participate as a member of the security cell established by the chief security adviser/security adviser;

(d) Advise the security cell on particular concerns of his/her organization regarding security;

(e) Act as the chief security adviser/security adviser ad interim in the absence of the chief security adviser/security adviser for a given duty station, as appropriate and when required by the employing organization.

Local security assistants

16. The assistants:

(a) Assist in monitoring the implementation of security policies and procedures;

(b) Assist in supporting all matters pertaining to the safety and security of personnel, premises and assets;

(c) Assist in developing security contingency plans and the country security plan;

(d) Assist in preparing security risk assessments;

(e) Assist in preparing minimum operating security standards and minimum operating residential security standards and monitoring compliance;

(f) Assist in preparing contingency plans;

(g) Assist in conducting security training for United Nations personnel, locally recruited guards and others, as appropriate.

Wardens

17. The wardens:

(a) Function as a channel of communication between the designated official and personnel employed by the organizations of the United Nations system and their recognized dependants and visitors staying at hotels in their zone;

(b) Regularly inform personnel regarding security arrangements and the security phases in effect;

(c) Undertake other security-related duties as assigned by the designated official or the chief security adviser/security adviser;

(d) Ensure that recognized dependants left at the duty station by internationally recruited staff who are serving elsewhere are accorded the same security provisions as dependants of international staff serving at the duty station;

(e) Visit every family living in their area to ensure that they are aware of the security arrangements.

Personnel employed by the organizations of the United Nations system

18. The personnel:

(a) Must familiarize themselves with information provided to them regarding the United Nations security management system at their location;

(b) Obtain security clearance prior to travelling;

(c) Attend security briefings and sign a document certifying that they have been briefed;

(d) Know their warden, chief security adviser/security adviser, field security coordination officers or country security focal points;

(e) Are appropriately equipped for service at the duty station;

(f) Comply with all United Nations system security regulations and procedures at the duty station, both on and off duty;

(g) Comport themselves in a manner which will not endanger their safety and security or that of others;

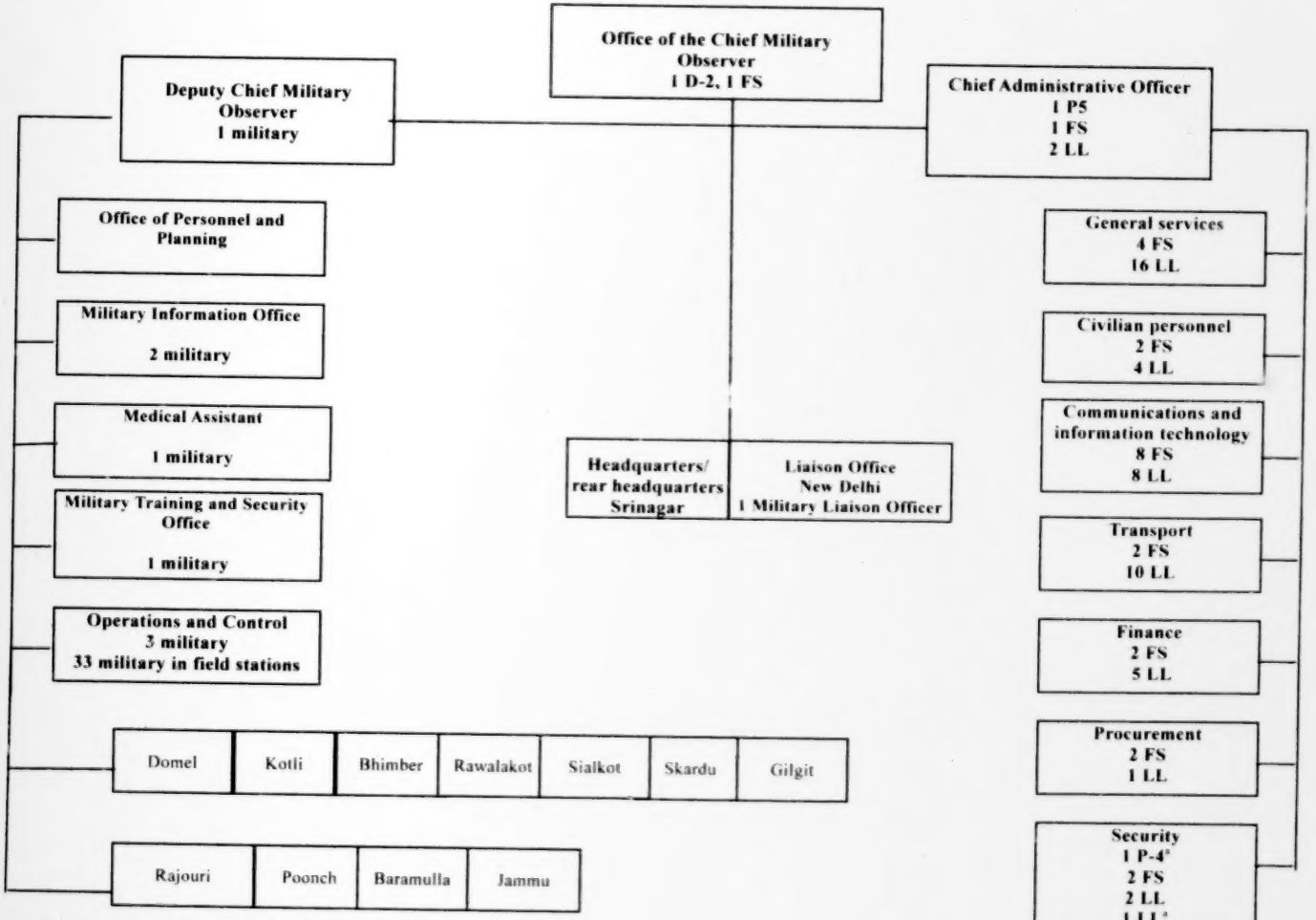
(h) Report all security incidents in a timely manner;

(i) Attend and complete security training relevant to their level and role;

(j) Complete the Basic Security in the Field and Advanced Security in the Field security learning programmes, on CD-ROM as appropriate.

Annex III

Organizational structure and post distribution of the United Nations Military Observer Group in India and Pakistan for the biennium 2010-2011



Abbreviations: FS, Field Service; LL, Local level.

[a] New post.

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Item 69 (b) of the provisional agenda*
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the interim report of the Special Rapporteur of the Human Rights Council on extrajudicial, summary or arbitrary executions, Philip Alston, submitted in accordance with Assembly resolution 63/182.

* A/65/150.

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Interim report of the Special Rapporteur on extrajudicial, summary or arbitrary executions

Summary

The present report of the Special Rapporteur on extrajudicial, summary or arbitrary executions focuses especially on the relevance of new technologies in tackling the challenge of extrajudicial executions and the rampant impunity that attaches to the phenomenon. The report notes that it is a cliché that new technologies, especially in the domains of information, communications, and weaponry, have transformed the world of the twenty-first century. In contrast, however, the human rights community often seems determined to remain firmly rooted in the twentieth century. It has failed to take adequate advantage of the opportunities offered by new technologies whether for fact-finding, monitoring or supervision of States' obligations. And it has been remarkably slow in coming to grips with the implications of new technologies in areas such as robotics. In the report, the Special Rapporteur examines (a) new technologies and human rights fact-finding; (b) targeted killings and accountability; and (c) extrajudicial executions and robotic technologies. He recommends the creation of two expert groups. One would examine the more effective use of emerging information and communication technology for human rights monitoring and protection, and the other would examine proactive steps to be taken to ensure that robotic technologies are optimized in terms of their capacity to promote more effective compliance with international human rights and humanitarian law.

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I. Introduction

1. This is the final report submitted to the General Assembly by Philip Alston in his capacity as Special Rapporteur on extrajudicial, summary or arbitrary executions. The report examines (a) new technologies and human rights fact-finding; (b) targeted killings and accountability; and (c) extrajudicial executions and robotic technologies, and concludes with specific recommendations for action.

2. In the preparation of the present report, I am deeply grateful for their superb research and expertise to Sarah Knuckey and Hina Shamsi of the Project on Extrajudicial Executions at New York University School of Law. Valuable research assistance was also provided by Sascha Bollag, Anna de Courcy Wheeler, Katy Gabel, Danielle Moubarak, and Rebecca Pendleton.

II. New technologies and human rights fact-finding

3. Even in situations involving large-scale extrajudicial executions, major difficulties arise in efforts to gather accurate information on the events in question. This is partly because some Governments are becoming both more determined and more skilled in blocking access to information, but it is also because human rights groups, as a whole, have not yet moved in a sufficiently sustained or systematic fashion to take advantage of the enormous potential provided by new information and communication technologies to enhance their fact-finding capacities.

4. International human rights fact-finding currently relies heavily on witness testimony, usually gathered through lengthy in-person interviews by experienced investigators and advocates. International fact-finders spend weeks or months at a time investigating incidents and searching for witnesses, sometimes relying on trusted local organizations, media accounts, or word of mouth for contacts. The number of individual incidents that can be recorded depends in large part on the size of the fact-finding team, the amount of time its members can spend in-country, and the availability of funding. Fact-finding can be impeded or sometimes rendered impossible where investigators are unable, for security reasons or because of other obstacles, to access to meet with potential witnesses or examine the sites of alleged abuse. In such cases, grave abuses, including massacres, may be unknown to outsiders for months or longer, delaying potentially life-saving reporting and intervention.[1] In other cases, heavy reliance on witness testimony which is not supported by additional information of a more objective nature may leave findings open to challenge by Governments or alleged perpetrators. The long written reports that generally detail the results of a fact-finding mission may not make it easy to fully explain the complexities of a situation, or may fail to engage a broad audience.

5. New technologies offer a great many potential solutions to some of these problems, and offer significant improvements in existing fact-finding methodologies. Surprisingly, however, there remains an enormous gap between the human rights and information and communications technology fields. Little sustained work has been undertaken by the human rights community as a whole to apply existing technologies or to study their potential uses and problems, and far too

[1] See A/HRC/14/24/Add.3, paras. 26-30 (describing massacres that took place in the Democratic Republic of the Congo in April and August 2009, but that were not reported until months later).

little attention has been given to the research and development of information and communications technologies with human rights applications. As a result, the use of information and communications technologies in human rights work is only at a nascent stage.[2] Nevertheless, as the examples discussed below illustrate, some efforts are already under way to exploit new technologies to increase public participation in the monitoring and reporting of abuses. Some may enable the reporting of abuses in real time, thereby increasing awareness of incidents and speeding up responsiveness and, potentially, prevention; some provide human rights investigators access to new types of data which may provide important supporting evidence of human rights abuses; and others present new advocacy opportunities.

6. New social media, social networking sites, user-generated content sites or platforms, and a range of other information and communications technologies enable any person with access to the necessary technology to share and report information relating to killings or other human rights violations in real time, for example, through Facebook, Twitter, or crowdsourcing technologies[3] such as Ushahidi. The Ushahidi platform, for example, originally developed largely by Kenyans during their country's 2007-2008 post-election violence, allows users to submit reports of human rights abuses by text message (SMS), smart phone application, Twitter, e-mail or the Web. Information, such as the time, location, nature of a human rights abuse, and pictures and video footage, can then be geo-tagged and plotted on a map or timeline. The platform has since been used in a range of situations, including in the Democratic Republic of the Congo, South Africa, Gaza, India, the Sudan, Afghanistan, Burundi, and following the January 2010 Haiti earthquake. The possibilities for increasing the speed, depth, and scope of human rights monitoring with crowdsourcing and SMS reporting platforms (such as Frontline SMS) are readily apparent. With hundreds or thousands of users, the platform can be used as an early warning system, or to track patterns of violence or the effects of a natural disaster, or to facilitate rapid response or service delivery. Crisis mapping[4] can provide important visual representation of events, facilitating more effective strategic planning or advocacy. Cell-phone based reporting systems have also been harnessed to improve the provision of health and humanitarian

[2] There is also a large gap between the humanitarian and information and communications technology (ICT) communities, but it is narrowing, particularly since the Haiti earthquake. See Diane Coyle and Patrick Meier, "New technologies in Emergencies and Conflicts: The Role of Information and Social Networks" (United Nations Foundation-Vodafone Foundation Partnership, 2009); PG Greenough et al, "Applied Technologies in Humanitarian Assistance: Report of the 2009 Applied Technology Working Group", 24 *Prehospital and Disaster Medicine*, Suppl. 2 (2009); Hillary Rodham Clinton, United States Secretary of State, "Remarks on Internet Freedom" (21 January 2010).

[3] In general terms, crowdsourcing is an open invitation to a population to provide information and ideas. More specifically, the term is often used to refer to crowdsourcing via web 2.0 technologies. See generally: Ankit Sharma, "Crowdsourcing Critical Success Factor Model" Working Paper (2010), and sources cited therein; Karthika Muthukumaraswamy, "When the Media Meet Crowds of Wisdom", 4 *Journalism Practice* (24 July 2009); Jeff Howe, "The Rise of Crowdsourcing", at www.wired.com (2006); and Anand Giridharadas, "Africa's Gift to Silicon Valley: How to Track a Crisis", *The New York Times* (12 March 2010).

[4] See http://www.crisismappers.net/; http://irevolution.wordpress.com/2009/08/08/proposing-crisis-mapping/; http://hhi.harvard.edu/programs-and-research/crisis-mapping-and-early-warning. See also the United Nations Development Programme's Threat and Risk Mapping Analysis in the Sudan, at http://www.sd.undp.org/projects/dg13.htm.

assistance, and environmental conservation.[5] The technologies may also allow users to get around biases in mainstream media or Government censorship, as the use of Twitter in the Islamic Republic of Iran famously demonstrated, enable reporting from areas where fact-finders cannot themselves physically access, and generally increase public participation in human rights advocacy.[6] A range of wikis and user-generated content or collaborative websites, such as Wikileaks, OpenStreetMap (an editable street map of the world), YouTube,[7] and the Hub[8] can serve similar functions.

7. But there are also significant obstacles to effective human rights applications of these technologies. Credibility and reliability of information are primary concerns in fact-finding. The reporting and advocacy that follow human rights investigations are open to challenge and can readily be impugned where the "facts" themselves were gathered through unreliable methodologies, or by inexperienced, or biased fact-finders. Crowdsourcing, for example, potentially creates "a tsunami of unverified reporting".[9] Because of the very real concern that crowdsourced information could contain erroneous or falsified data,[10] at this stage, it would be difficult to conceive of a human rights report based solely on crowdsourced information. But crowdsourcing could certainly be used by organizations (e.g. national human rights institutions, ombudsmen, non-governmental organizations) to receive notifications of alleged abuses which could then be tracked and investigated, or crowdsourced platforms could be bounded so that only certain trusted sources (e.g. United Nations or other designated local field investigators) could provide

[5] For example, the United Nations Children's Fund (UNICEF) has used cell-phone reporting systems in the provision of humanitarian aid. In Ethiopia, UNICEF used RapidSMS to better distribute food supplies. See "Preventing Famine with a Mobile" (21 December 2008) at www.mobileactive.org. See also See Sheila Kinkade and Katrin Verclas, "Wireless Technology for Social Change: Trends in Mobile Use by NGOs", United Nations Foundation-Vodafone Group Foundation Partnership (2008).

[6] See Molly Beutz Land, "Networked Activism", 22 *Harvard Human Rights Journal* (2009) 205; Geoffrey A. Fowler, "'Citizen Journalists' Evade Blackout on Myanmar News", *The Wall Street Journal* (28 September 2007).

[7] See Larry Diamond, "Liberation Technology", 21 *Journal of Democracy* (2010) 70 (referring to a range of "liberation" and "accountability" technologies, and giving YouTube as an example of a tool "for transparency and monitoring": "Enter 'human rights abuses' into YouTube's search box and you will get roughly ten thousand videos showing everything from cotton-growers' working conditions in Uzbekistan, to mining practices in the Philippines, to human-organ harvesting in China ...").

[8] The Hub is a project of the international organization WITNESS. WITNESS provides training and equipment on using video technologies to record human rights abuses. The Hub is a website where human rights videos can be shared.

[9] See United States Department of State, "Haiti Earthquake: Breaking New Ground in the Humanitarian Information Landscape" (July 2010), p. 4.

[10] See Anahi Ayala Iacucci, "Ushahidi-Chile: an example of crowdsourcing verification of information" at http://crisismapper.wordpress.com/2010/06/28/ushahidi-chile-an-example-of-crowd-sourcing-verification-of-information/ (discussing false reports made following the Chile Earthquake); Peter Smith, "Cellphone and Internet access helps — and hinders — accurate reporting in Kenya", at www.csmonitor.com (31 January 2008) (discussing false information and rumours).

information to it.[11] Some programmes are also being developed to address reliability and accuracy concerns — SwiftRiver, for example, uses natural language computation, machine learning, and veracity algorithms to aggregate, filter, and triangulate information from online news, blogs, Twitter, SMS, and other sources.[12]

8. Crowdsourcing can also raise privacy and security concerns for those reporting abuses. Such concerns demand careful consideration before the technology is deployed in sensitive environments. For example, a repressive Government might monitor text messages sent to a platform, or require the registration of personal information by those involved.[13] Other problems can arise with coordination and information-sharing. Thus in the aftermath of the Haiti earthquake it was observed that each system was an island of information, leading to unnecessary duplication, fragmentation and significant frustration.[14] Other important concerns include uneven access to technologies (which may result in distorted findings or advocacy focus), sustainability (especially after the urgency of a particular crisis appears to fade), the expense and reliability of cell networks or Internet connections, and potential users' training and knowledge. The humanitarian, disaster relief, and ICT communities are presently engaged in an important discussion of these problems,[15] much of which is relevant to human rights actors.

9. Geospatial technologies also have enormous potential to aid in human rights work, and some organizations are beginning to use them in their investigations and advocacy.[16] Amnesty International, for example, as part of its "Science for Human Rights" programme (together with the American Association for the Advancement of Science[17]), is using mapping and satellite imagery to provide supporting evidence to witness accounts and to document abuses (such as the destruction of homes or

[11] See, for example, Peter van der Windt, "Voix des Kivus (Ushahidi in the Democratic Republic of the Congo)", talk given at the International Conference on Crisis Mapping (2009) (discussing a pilot project on the eastern Democratic Republic of the Congo, providing cell phones to village leaders to report abuses via SMS).

[12] See http://swift.ushahidi.com.

[13] See Patrick Meier, "How to Communicate Securely in Repressive Environments" (15 July 2009) at http://irevolution.wordpress.com/2009/06/15/digital-security/.

[14] ICT for Peace Foundation, "Haiti and beyond: Getting it right in Crisis Information Management" (March 2010).

[15] See the work of Patrick Meier at http://irevolution.wordpress.com/; compare http://www.humanitarian.info/2009/03/30/correcting-crowdsourcing-in-a-crisis/. See also "Breaking New Ground in the Humanitarian Information Landscape", footnote 9 above.

[16] See International Crisis Group, "War Crimes in Sri Lanka" (17 May 2010) (referring to satellite imagery providing evidence of abuses); Human Rights Watch, "Georgia/Russia: Use of Cluster Munitions in August 2008" (9 April 2009) (providing maps and satellite images of the location of cluster munitions use); Human Rights Watch, "Israel/Gaza: Satellite Imagery of White Phosphorous Use" (25 March 2009). See also, the World Food Programme's use of satellite imagery: http://www.wfp.org/our-work/our-competences/being-ready/technology-helping-wfp. See also: David Talbot, "Satellite Images Catch Human-Rights Violations in Burma", *Technology Review* (28 September 2007). For uses of Google Earth, see: MapAction, "Google Earth and its potential in the humanitarian sector: a briefing paper" (April 2008).

[17] The AAAS has a dedicated "Science and Human Rights Program", including a "Geospatial Technologies and Human Rights Project". See AAAS, "What can geospatial technologies do for the human rights community?" at http://shr.aaas.org/geotech/whatcanGISdo.shtml. See also Tactical Technology Collective, "Maps for advocacy: An introduction to Geographical Mapping Techniques" (September 2008).

villages), and to provide interactive visual information in its advocacy work.[18] Satellite imagery, however, can be very expensive to purchase, may need to be obtained from Governments, and can be limited by factors such as time lag and cloud interference. In response, some have suggested or begun to develop unmanned aerial vehicles or other aerial photography mechanisms for humanitarian purposes (which could similarly be used in the human rights field), although the actual use of these are currently inhibited by problems of insurance and regulation issues for the civilian use of unmanned aerial vehicle.[19]

10. Other technologies, including artificial intelligence,[20] robotics,[21] Photosynth,[22] and hyperspectral imagery[23] also have potential but largely unexplored human rights applications.

III. Targeted killings and accountability

11. In June 2010, the Special Rapporteur presented a thematic report to the Human Rights Council analysing the human rights and humanitarian law applicable to targeted killings, and the legal issues raised by such practices.[24] The report highlighted the extent to which such practices have spread and warned that they pose a significant and rapidly growing challenge to the international rule of law. In recent years, the United States of America, Israel and the Russian Federation, have asserted the legality of targeted killings in excessively broad circumstances, outside the limited permissible context of armed conflict, while at the same time failing to demonstrate that their use of targeted killings complied with the applicable rules. In

[18] For example, Amnesty International's "Eyes on Darfur" project brings together satellite imagery, witness accounts, and ground photos to evidence and illustrate abuses in Darfur. The satellite images show villages before and after destruction. See http://www.eyesondarfur.org/about.html. The "Eyes on Pakistan" project uses interactive maps to show the locations of attacks on civilians: http://www.eyesonpakistan.org/.

[19] See H. Bendea et al, "Low Cost UAV for Post-Disaster Assessment", *The International Archives of the Photogrammetry, Remote Sensing and Spatial Information Science*, Vol. XXXVII (2008) (describing the development of low cost UAVs for early impact analysis of humanitarian disasters, and their advantages); Bendea et al, "New Technologies for Mobile Mapping", paper presented at the fifth International Symposium on Mobile Mapping Technology (2007).

[20] See, for example, Artificial Intelligence for Development, at http://ai-d.org/index.html.

[21] See e.g. John G. Blitch, "Artificial Intelligence Technologies for Robot Assisted Urban Search and Rescue", 11 *Expert Systems With Applications* (1996) (discussing the use of mobile robots to rescue individuals trapped in collapsed structures). See also: IRIN, "Bots without borders" (22 June 2009) at http://www.irinnews.org/Report.aspx?ReportId=84933 (discussing the potential for automated humanitarian relief); http://www.humanitarianfutures.org/main/content/science-panel; http://crasar.org/.

[22] Photosynth allows users to create a three dimensional model of a series of photographs uploaded to the site. If, for example, a number of users took photos at the scene of an alleged human rights violation, the photos could all be "stitched" together to create a compilation of many images taken from different perspectives; this could be an important evidence gathering tool. See http://photosynth.net/about.aspx; Sanjana Hattotuwa, "Information visualization through Microsoft Photosyth: Potential for human rights documentation?" (31 July 2008) at http://ict4peace.wordpress.com.

[23] See Margaret E. Kalacska et al, "The Application of Remote Sensing for Detecting Mass Graves: An Experimental Animal Case Study from Costa Rica", 54 *Journal of Forensic Sciences* (2008) 159.

[24] A/HRC/14/24/Add.6.

the report, the Special Rapporteur cautioned that the overly expansive interpretation of the law by those States today would inevitably be followed by other States in the future, and that without transparency and accountability for targeted killings, grave damage would be done to the legal framework that the international community has so painstakingly constructed in order to protect the right to life. The United States has chosen not to respond substantively to the report, while Israel and the Russian Federation have ignored it.

12. The report, as well as the Special Rapporteur's statement to the Human Rights Council attached particular importance to the role of the United States because it is the most enthusiastic and prolific proponent of targeted killings carried out in circumstances which sometimes appear to violate the applicable international law. The Special Rapporteur urged the United States Government to disclose the legal basis for its targeted killing policy, as well as the number of individuals killed pursuant to that policy, including civilians, and the accountability mechanisms in place. He expressed particular concern in relation to the United States Central Intelligence Agency's targeted killing programme because of its complete lack of public accountability and transparency, including the Central Intelligence Agency's refusal to disclose its justifications for reportedly killing many hundreds of people.[25]

13. With respect to targeted killings, the response of the United States Government has consisted of three elements. The first has been to effectively refuse to engage with the Human Rights Council or its Special Rapporteur in any direct way, thus undermining the legitimate monitoring role played by the Council, a role which has been strongly supported by the United States in relation to the conduct of many other States. The second has been a vigorous, but largely anonymous, defence of the policy in the media, in which officials have insisted that the targeted killings are highly effective, have involved only a handful of civilian casualties, and are entirely legal.[26] The third element has been a consistent refusal to support the general assurances given by officials with any concrete information addressing the key concerns. This is best illustrated by statements provided by Central Intelligence Agency spokespersons indicating that they can neither confirm nor deny that targeted killing programmes are conducted by the Agency, but at the same time insisting that any such programmes have led to no more than 40 or 50 civilian casualties and that they are governed by strong domestic accountability arrangements.[27] The bottom line is that no concrete information has yet been provided in relation to any of the basic questions raised in the Special Rapporteur's report. These include: when and where the Government considers itself authorized to kill; who may be killed; the safeguards in place to protect civilians; and the applicable accountability mechanisms. Even the figures given by spokespersons for

[25] Statement of the Special Rapporteur to the Human Rights Council, 3 June 2010, available at http://www.extrajudicialexecutions.org/application/media/Statement-Alston1.pdf.

[26] Frank Jordans, "UN Expert: 'Targeted Killings' by U.S., Israel, Russia May Be War Crimes", Associated Press, 2 June 2010; Charlie Savage, "U.N. Report Highly Critical of U.S. Drone Attacks", *The New York Times*, 2 June 2010.

[27] See, for example, Peter Finn, "U.N. Official Urges U.S. to Stop CIA Drone Attacks on al-Qaeda and Taliban", *Washington Post*, 3 June 2010; David Cloud, "U.N. Report Faults Prolific Use of Drone Strikes by U.S.", *L.A. Times*, 3 June 2010; Jonathan Adams, "US Defends Unmanned Drone Attacks After Harsh UN Report", *Christian Science Monitor*, 3 June 2010.

civilian casualties remain entirely anecdotal and are not supported by any further explanation.

14. The continuing refusal of the United States to provide the international community with the information that would satisfy its obligations in relation to transparency and accountability has gone hand in hand with a continuing expansion of its targeted killings programme. In the two months (up to the end of July 2010) since the Special Rapporteur's report was submitted to the Human Rights Council, ten United States drone strikes have been reported in the border region of Pakistan and Afghanistan. These strikes are estimated to have killed between 64 and 112 alleged "militants", but the number of civilians killed, if any, is unknown.[28] Reports on the numbers killed and claims about whether the dead are civilians or individuals who may be legally targeted continue to be impossible to verify — as they have been since the inception of the United States targeted killing policy in or around 2002. The reason is primarily because the United States Government has refused to disclose (except through highly selective leaks) who it has targeted for killing and whether there have been civilian casualties, and also because human rights monitors and independent media have not had access to the affected areas. The British Broadcasting Corporation (BBC), for example, reported that, although more than 700 people were killed in drone attacks between January 2009 and June 2010, "positive identification of the victims, either by Pakistani or United States authorities, has been made in fewer than a dozen instances."[29]

15. In addition to concerns about Central Intelligence Agency activities, new and disturbing information has come to light concerning targeted killing operations in Afghanistan led by United States Special Forces, belonging to the United States military. In the Special Rapporteur's report on his May 2008 mission to Afghanistan, concern was expressed about the lack of transparency and accountability with respect to covert United States-led missions to capture or kill alleged suspects in Afghanistan, as well as about the poor intelligence upon which the missions all too often seemed to be based.[30] Newly available United States Government documents covering the 2004-2009 period show the extent to which such concerns were justified. These documents indicate that a United States Special Forces unit, Task Force 373 (TF-373), was used to deal with the capture or killing of Taliban and al-Qaida leaders, who were included on a joint prioritized effects list of some 2,000 names. The documents also raise concerns about the involvement of the Government of Germany in the United States targeted killings policy, as members of TF-373 were based at a German base in Afghanistan. The documents indicate that civilians, including women and children, may have been wrongly killed by TF-373, and that TF-373 may have unlawfully chosen to kill individuals, rather than capture and detain them,[31] It is not clear from the documents how individuals were chosen

[28] Peter Bergen and Katherine Tiedemann, An Analysis of U.S. Drone Strikes in Pakistan, 2004-2010, New America Foundation, database available at http://counterterrorism.newamerica.net/drones.

[29] BBC News, "Mapping US Drone and Islamic Militant Attacks in Pakistan", 22 July 2010, http://www.bbc.co.uk/news/world-south-asia-10648909.

[30] See A/HRC/11/2/Add.4.

[31] Nick Davies, "Afghanistan War Logs: Task Force 373", *The Guardian*, 25 July 2010; CNN, "Wikileaks Shines Spotlight on Mysterious Task Force 373", 26 July 2010. See Wikileaks Afghanistan War Dairy, Reference ID AFG20070617n853 (describing the attempted targeting of Abu Laith al-Libi by rockets, which led instead to the deaths of seven children).

to be included on the kill/capture list, how one might get off the list, or on what basis individuals have been killed, rather than captured. The General Assembly should call upon the United States and any other Government involved to provide full disclosure of the legal justification for these operations, their outcome, and steps taken to punish wrongdoing and provide compensation to victims.

16. Meeting the legal requirements of transparency and accountability for targeted killing need not impose an onerous burden upon the States concerned. The minimum requirements are: disclosure of the legal criteria for who can be targeted and killed; the legal justification for where in the world, and when, such killings are permitted to occur; the precautions in place to ensure that the killings are legal; and what follow-up there is when civilians are illegally killed.[32] Too often, the response given by Government officials or their surrogates in the media suggests that disclosure of such information would necessarily involve revealing intelligence sources and methods. But that is not the case. Disclosure of the legal analysis on the basis of which a targeted killing policy has been established does not require the revelation of any State secrets. Similarly, disclosure of the generic procedural safeguards put in place to ensure that the right person has been targeted does not cause intelligence to be revealed, and nor does a report that wrongdoing is being investigated and remedied, or that victims have been compensated. On the other hand, a failure to provide such disclosure has the effect of replacing public legal accountability, to both the national and international communities, with unverifiable Government assertions of legality, and thereby undermining the rule of law.

IV. Extrajudicial executions and robotic technologies

A. Introduction

17. Over the past decade, the number and type of unmanned or robotic systems developed for, and deployed in, armed conflict and law-enforcement contexts has grown at an astonishing pace. The speed, reach, capabilities and automation of robotic systems are all rapidly increasing. Unmanned technologies already in use or in later stages of development — including unmanned airplanes, helicopters, aquatic and ground vehicles — can be controlled remotely to carry out a wide array of tasks: surveillance, reconnaissance, checkpoint security, neutralization of an improvised explosive device, biological or chemical weapon sensing, removal of debris, search and rescue, street patrols, and more. They can also be equipped with weapons to be used against targets or in self-defence. Some of these technologies are semi-automated, and can, for example, land, take off, fly, or patrol without human control. Robotic sentries, including towers equipped with surveillance capacity and machine guns, are in use at the borders of some countries. In the foreseeable future, the technology will exist to create robots capable of targeting and killing with minimal human involvement or without the need for direct human control or authorization.

18. Some of this technology is either unambiguously beneficial or can be used to clearly positive effect, including, most importantly, saving the lives of civilians and limiting military personnel casualties. However, the rapid growth of these

[32] See A/HRC/14/24/Add.6.

technologies, especially those with lethal capacities and those with decreased levels of human control, raise serious concerns that have been almost entirely unexamined by human rights or humanitarian actors, although some military lawyers, philosophers, ethicists and roboticists have begun to do so.[33] The general lack of international attention to this issue is understandable. Other humanitarian or human rights issues — disastrous floods in Pakistan, killing and sexual violence in the Democratic Republic of the Congo, or gang killings in Mexico — seem far more immediately pressing, and resources, time, and staffing capacities in the United Nations, non-governmental organizations and think tanks are always stretched. In addition, anything that smacks of science fiction seems more at home in an Asimov novel or Terminator film rather than in a human rights report.

19. Various factors explain why the human rights community continues to see advances in robotics as an exotic topic that does not need to be addressed until the relevant technologies are actually in use. First, much of the information about these developments remains confined to military research establishments and specialist scientific literature. Second, understanding the technologies requires expertise beyond that of most human rights experts. Third, the attractions of greater use of robotic technologies greatly overshadow, in the public mind, the potential disadvantages. And finally, there is a North-South dimension, in that the North has the money and the technical know-how to develop the technologies, while many of the negative consequences of their use will fall much more heavily on poorer countries in the South.

20. The analysis that follows is predicated on two principal assumptions. The first is that the new robotic technologies have very important ramifications in terms of the right to life and the fight against extrajudicial executions, and that they raise issues that need to be addressed now, rather than later. The second is that, although a large part of the research and technological innovation currently being undertaken is driven by military and related concerns, there is no inherent reason why human rights and humanitarian law considerations cannot be proactively factored into the design and operationalization of the new technologies. But this will not happen unless and until the human rights community presses the key public and private actors to make sure it does; and because the human rights dimensions cannot be

[33] See, for example, Summary of Harvard Executive Session of June 2008, *Unmanned and Robotic Warfare: Issues, Options And Futures*, at 14; http://www.lnwprogram.org/publicfiles/download/Future+of+Unmanned+and+Robotic+Warfare?file_id=505283 ("2008 Harvard Session"); Ronald Arkin, *Governing Lethal Behaviour in Autonomous Robots* (2009); Peter Asaro, "How Just Could a Robot War Be?", in Philip Brey, Adam Briggle & Katinka Waelbers (eds.), *Current Issues in Computing And Philosophy* (2009); William H. Boothby, *Weapons and the Law of Armed Conflict* (2009); Jason Borenstein, "The Ethics of Autonomous Military Robots", 2 *Studies in Ethics, Law and Technology* (2008) available at http://www.bepress.com/selt/vol2/iss1/art2; Charles J. Dunlap, Jr., "Technology: Recomplicating Moral Life for the Nation's Defenders", 24 *Parameters: US Army War College Quarterly* (2009); Noel Sharkey, "Automated Killers and the Computing Profession", *Computer Journal* (2007); Noel Sharkey, "Death Strikes from the Sky: The Calculus of Proportionality", 28 *IEEE Technology and Society* 16-19 (2009); Robert Sparrow, "Robotic Weapons and the Future of War", in Jessica Wolfendale and Paolo Tripodi (eds), *New Wars and New Soldiers: Military Ethics in the Contemporary World*, (forthcoming); Robert Sparrow, "Predators or Plowshares? Arms Control of Robotic Weapons" 28 *IEEE Technology and Society* 25 (2009); Patrick Lin, George Bekey, & Keith Abney, *Autonomous Military Robotics: Risk, Ethics, and Design* (2008), available at http://ethics.calpoly.edu/ONR_report.pdf (report prepared for the United States Department of the Navy).

addressed in isolation, the international community urgently needs to address the legal, political, ethical and moral implications of the development of lethal robotic technologies.

B. Trends in the development of lethal robotic technology

21. While the use of lethal robots in the context of war is not unprecedented,[34] their development and use has dramatically increased since the attacks of 11 September 2001, the Afghanistan and Iraq conflicts, and the enormous growth in military research and development that the conflicts precipitated. Military experts have noted that the two conflicts are serving as real-time laboratories of "extraordinary development" for "robotic warfare".[35]

22. The primary user of this technology is the United States. Between 2000 and 2008, the number of United States unmanned aircraft systems increased from less than 50 to over 6,000.[36] Similarly, the number of unmanned ground vehicles deployed by the United States Department of Defense increased from less than 100 in 2001 to nearly 4,400 by 2007.[37] Other States, including Australia, Canada, France, Germany, Israel, the Republic of Korea and the United Kingdom of Great Britain and Northern Ireland have also developed or are developing unmanned systems.[38]

23. At present, the robotic weapons technologies most in use are systems that are remotely, but directly, operated by a human being. A well-known example is the "BomBot", a vehicle which can be driven by remote control to an improvised explosive device, drop an explosive charge on the device, and then be driven away before the charge is detonated.[39] Another example is the Special Weapons Observation Reconnaissance Detection System (SWORDS) and its successor, the

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[34] As long ago as the Second World War, for example, Germany used bombs attached to tank treads which were detonated by remote control, while the United States used radio-piloted bomber aircraft packed with explosives. See Steve Featherstone, "The Coming Robot Army", Harpers, February 2007; P. W. Singer, *Wired for War* (2009) (discussing historical development of unmanned or robotics technology).

[35] 2008 Harvard Session, footnote 33 above, at p. 2.

[36] See Government Accountability Office, Report to the Subcommittee on Air and Land Forces, Committee on Armed Services, House of Representatives, *Unmanned Aircraft Systems: Additional Actions Needed to Improve Management and Integration of DOD Efforts to Support Warfighter Needs*, November 2008, available at http://www.gao.gov/new.items/d09175.pdf.

[37] Department of Defense, Report to Congress: *Development and Utilization of Robotics and Unmanned Ground Vehicles* 11 (October 2006), available at http://www.jointrobotics.com/Activities/congressdocs/UGV%20Congressional%20Report%20-%20Final%20%28October%202006%29.pdf. U.S. law requires that, by 2015, one third of US operational ground combat vehicles be unmanned. Ibid; at p. 45. Office of the Secretary of Defense, *Unmanned Systems Roadmap 2007-2032* (2007), available at http://auvac.org/research/publications/files/2007/unmanned_systems_roadmap_2007-2032.pdf. For fiscal year 2010, the US Department of Defense sought a budget of $5.4 billion for unmanned systems (including systems for use on land, in the air, and at sea), an increase of 37.5 per cent over the past two years. "Pentagon's Unmanned Systems Spending Tops $5.4 billion in FY2010", *Defense Update*, 14 June 2009, available at http://defense-update.com/newscast/0609/ news/pentagon_uas_140609.html.

[38] See *Development and Utilization of Robotics and Unmanned Ground Vehicles*, footnote 37, at p. 47 (describing research and development activities directed towards developing military capabilities for robotics and unmanned ground vehicles of United States allies).

[39] Ibid., at p. 12.

Modular Advanced Armed Robotic System (MAARS). SWORDS is a small robot that can be mounted with almost any weapon that weighs less than 300 pounds, including machine guns, rifles, grenade launchers and rocket launchers, and can travel in a variety of terrains.[40] It can be operated by remote control and video cameras from up to two miles away, and be used for street patrols and checkpoint security as well as to guard posts. MAARS is similar, but can carry more powerful weapons and can also be mounted with less-than-lethal weapons, such as tear gas.[41]

24. The level of automation that generally exists in currently deployed systems is limited to the ability of, for example, an unmanned combat aerial vehicle or a laser-guided bomb to be programmed to take off, navigate or de-ice by itself, or with only human monitoring (as opposed to control). In June 2010, trials were held in which helicopters had carried out fully autonomous flights.[42] Sentry systems also exist which can patrol automatically around a sensitive storage facility or a base. The Mobile Detection Assessment and Response System (MDARS), for example, is a small robotic patrol force on wheels designed to relieve personnel of the repetitive and sometimes dangerous task of patrolling exterior areas and which can autonomously perform random patrols.[43] For currently existing systems that have lethal capability, the choice of target and the decision to fire the weapon is made by human beings, and it is a human being who actually fires the weapon, albeit by remote control. With such weapons systems, there is, in military terminology, a "man in the loop", so that the determination to use lethal force, as with any other kind of weapon, lies with the operator and the chain of command. Examples of such semi-automated weapons systems currently in use include Predator and Reaper drones[44] deployed in the conflicts in Iraq and Afghanistan by the United States and the United Kingdom, and Israeli Harpy drones. Systems that would replace this generation of technology include the Sky Warrior, an unmanned aircraft system capable of taking off and landing automatically, with the capacity to carry and fire four Hellfire missiles.[45]

25. "Swarm" technologies are also being developed to enable a small number of military personnel to control a large number of machines remotely. One system under development envisions that a single operator will monitor a group of semi-autonomous aerial robotic weapons systems through a wireless network that connects each robot to others and to the operator. Each robot within a "swarm" would fly autonomously to a designated area, and "detect" threats and targets

[40] *Wired for War*, footnote 34 above, pp. 29-32.

[41] Id.; see also Seth Porges, Real Life Transformer Could Be First Robot to Fire in Combat, Popular Mechanics, 1 Oct. 2009, available at http://www.popularmechanics.com/technology/military/4230309.

[42] Olivia Koski, "In a First, Full-Sized Robo-Copter Flies With No Human Help", *Wired* (14 July 2010).

[43] "MDARS — 21st Century Robotic Sentry System", General Dynamics Robotics Systems, at http://www.gdrs.com/about/profile/pdfs/0206MDARSBrochure.pdf.

[44] United States Air Force, United States Air Force Unmanned Aircraft Systems Flight Plan 2009-2047 at 26, available at http://www.fas.org/irp/program/collect/uas_2009.pdf.

[45] See descriptions at General Atomics Aeronautical, http://www.ga-asi.com/products/aircraft/er-mp-uas.php; Defense Update, Sky Warrior Goes into Production to Equip U.S. Army ER/MP Program, 9 July 2010, http://www.defence-update.net/wordpress/20100709_sky_warrior_lrip.html.

through the use of artificial intelligence, sensory information and image processing.[46]

26. Robotic technology is also becoming faster and more capable of increasingly rapid response. Military strategic documents predict the development of technology that speeds up the time needed for machines to respond to a perceived threat with lethal force to micro or nanoseconds. Increasingly humans will no longer be "in the loop" but rather "on the loop" — monitoring the execution of certain decisions.[47] The speed of the envisioned technology would be enhanced by networking among unmanned machines which would be able to "perceive and act" faster than humans can.

27. To date, armed robotic systems operating on any more than a semi-automated basis have not been used against targets. The military representatives of some States indicate that humans will, for the foreseeable future, remain in the loop on any decisions to use lethal force.[48] The United States Department of Defense, for example, has stated that for a significant period into the future, the decision to pull the trigger or launch a missile from an unmanned system will not be fully automated, but notes that many aspects of the firing sequence will, even if the final decision to fire will not likely be fully automated until legal, rules of engagement, and safety concerns have all been thoroughly examined and resolved.[49] However, some roboticists note that the advent of autonomous lethal robotic systems is well under way and that it is a simple matter of time before autonomous engagements of targets are present on the battlefield.[50] A number of countries are already reportedly deploying or developing systems with the capacity to take humans out of the lethal decision-making loop. For example:

- Since approximately 2007, Israel has deployed remote-controlled 7.62 mm machine-guns mounted on watchtowers every few hundred yards along its border with Gaza as part of its "Sentry Tech" weapons system, also known as "Spot and Shoot" or in Hebrew, "Roeh-Yoreh" (Sees-Fires).[51] This "robotic sniper" system locates potential targets through sensors, transmits information to an operations command centre where a soldier can locate and track the target and shoot to kill.[52] Dozens of alleged "terrorists" have been shot with

[46] *Unmanned Aircraft Systems Flight Plan 2009-2047*, footnote 44 above, pp. 33-34. A group of European firms, lead by Dassault, is developing similar technology for the European market. Erik Sofge, "Top 5 Bomb-Packing, Gun-Toting War Bots the U.S. Doesn't Have", Popular Mechanics, 1 October 2009, available at http://www.popularmechanics.com/technology/military/4249209.

[47] *Unmanned Aircraft Systems Flight Plan 2009-2047*, footnote 44 above, p. 41.

[48] British Air Marshal Steve Hillier sees an enduring requirement for a human in the loop for decision-making. When you get to attack, you need someone to exercise judgement. http://www.flightglobal.com/articles/2010/07/13/344077/farnborough-uk-unmanned-air-vehicles.html.

[49] United States Department of Defense, *FY 2009–2034 Unmanned Systems Integrated Roadmap*, 6 April 2009, available at http://jointrobotics.com/documents/library/UMS%20Integrated%20Roadmap%202009.pdf.

[50] Ronald C. Arkin, Alan R. Wager and Brittany Duncan, "Responsibility and Lethality for Unmanned Systems: Ethical Pre-mission Responsibility Advisement", GVU Technical Report GIT-GVU-09-01, GVU Center, Georgia Institute of Technology, 2009.

[51] Robin Hughes and Alon Ben-David, "IDF Deploys Sentry Tech on Gaza Border", Jane's Defence Weekly, 6 June 2007.

[52] Noah Schachtman, Robo-Snipers, "Auto Kill Zones" to Protect Israeli Borders, *Wired*, 4 June 2007, http://www.wired.com/dangerroom/2007/06/for_years_and_y/.

the Sentry Tech system.[53] The first reported killing of an individual with Sentry Tech appears to have taken place during Operation Cast Lead in December 2008.[54] Two alleged "terrorists" were killed using the system in December 2009,[55] and another person was killed and four injured by Sentry Tech in March 2010; according to media accounts it is unclear whether the dead and injured were farmers or gunmen.[56] Future plans envision a "closed loop" system, in which no human intervention would be required in the identification, targeting and kill process.[57]

- The Republic of Korea has developed the SGR-1, an unmanned gun tower that, beginning in July 2010, is performing sentry duty on an experimental basis in the demilitarized zone between the Democratic People's Republic of Korea and the Republic of Korea.[58] The SGR-1 uses heat and motion detectors and pattern recognition algorithms to sense possible intruders; it can alert remotely located command centre operators who can use the SGR-1's audio and video communications system to assess the threat and make the decision to fire the robot's 5.5 millimetre machine gun.[59] Media accounts indicate that, although the decision to use lethal force is made now by human commanders, the robot has been equipped with the capacity to fire on its own.[60]

28. Such automated technologies are becoming increasingly sophisticated, and artificial intelligence reasoning and decision-making abilities are actively being researched and receive significant funding. States' militaries and defence industry developers are working to develop "fully autonomous capability", such that technological advances in artificial intelligence will enable unmanned aerial vehicles to make and execute complex decisions, including the identification of human targets and the ability to kill them.[61] A 2003 study commissioned by the United States Joint Forces Command reportedly predicted the development of artificial intelligence and automatic target recognition that will give robots the

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[53] Anshell Pfeffer, "IDF's Newest Heroes: Women Spotters on Gaza's Borders", *Haaretz*, 3 March 2010, available at http://www.haaretz.com/print-edition/news/idf-s-newest-heroes-women-spotters-on-gaza-border-1.264024.

[54] *Israeli War-Room "Look-Out" Girls Use New "See-Shoot" Remote Control*, BBC Monitoring Middle East, 9 January 2009.

[55] Yaakov Katz, "IDF Unveils Upgrades to Gaza Fence", *Jerusalem Post*, 3 March 2010, available at http://www.jpost.com/Israel/Article.aspx?id=170041.

[56] Ali Waked, "Palestinians: 1 Dead, 4 Injured From IDF Fire in Gaza", 1 March 2010, available at http://www.ynetnews.com/articles/0,7340,L-3856218,00.html.

[57] "Remotely Controlled Mechanical Watchtowers Guard Hostile Borders", *Homeland Security Newswire*, 19 July 2010, at http://homelandsecuritynewswire.com/remotely-controlled-mechanical-watch-towers-guard-hostile-borders; Noah Schachtman, "Robo-Snipers, 'Auto Kill Zones' to Protect Israeli Borders", *Wired*, 4 June 2007, http://www.wired.com/dangerroom/2007/06/for_years_and_y/; Jonathan Cook, "Israel Paves the Way for Killing by Remote Control", *The National*, 13 July 2010.

[58] "Army Tests Machine-gun Sentry Robots in DMZ", Yonhap News Agency, 13 July 2010, available at http://english.yonhapnews.co.kr/national/2010/07/13/14/0301000000AEN20100713007800315F.HTML.

[59] Ibid.; "Machine gun-toting robots deployed on DMZ", *Stars and Stripes* 12 July 2010, available at http://www.stripes.com/news/pacific/korea/machine-gun-toting-robots-deployed-on-dmz-1.110809.

[60] Top 5 Bomb-Packing, footnote 46 above.

[61] *Unmanned Aircraft Systems Flight Plan 2009-2047*, footnote 44 above, p. 50.

ability to hunt down and kill the enemy with limited human supervision by 2015.[62] Among the envisioned uses for fully automated weapons systems are: non-lethal through lethal crowd control; dismounted offensive operations; and armed reconnaissance and assault operations.[63] One already developed ground robot, the Guardium UGV, is a high-speed vehicle that can be weaponized and used for combat support as well as border patrols and other security missions, such as perimeter security at airports and power plants.[64]

C. Concerns

29. Although robotic or unmanned weapons technology has developed at astonishing rates, the public debate over the legal, ethical and moral issues arising from its use is at a very early stage, and very little consideration has been given to the international legal framework necessary for dealing with the resulting issues.

30. There are many possible advantages flowing from the use of existing and developing technologies.[65] They may be able to act as "force multipliers", greatly expanding the capacity or reach of a military, and robots may be sacrificed or sent into hazardous situations that are too risky for human soldiers. They may be less economically costly than deploying humans, and, indeed, their destruction does not result in the ending of irreplaceable human life. As stated in a United States Government report, more and more robots are being destroyed or damaged in combat instead of Servicemen and women being killed or wounded, and this is the preferred outcome.[66] Robots may be able to use lethal force more conservatively than humans (because they do not need to have self-preservation as a foremost drive[67]), and their actions and responses may be faster, based on information processed from more sources, and more accurate, enabling them to reduce collateral damage and other mistakes made by humans. They may also be able to avoid mistakes or harm resulting from human emotions or states, such as fear, tiredness, and the desire for revenge, and, to the extent that machines are equipped with the ability to record operations and monitor compliance with legal requirements, they may increase military transparency and accountability.

31. But these hypothetical advantages may not necessarily be reflected in the design or programming of actual technologies. And the reality, to date, is that technological developments have far outpaced even discussions of the humanitarian

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[62] Steve Featherstone, "The Coming Robot Army", Harpers, February 2007, available at http://www.wesjones.com/robot.htm.

[63] *FY 2009-2034 Unmanned Systems Integrated Roadmap*, footnote 49 above, p. 10.

[64] GNIUS Unmanned Ground Systems, Guardian UGV, described at http://www.g-nius.co.il/unmanned-ground-systems/guardium-ugv.html and http://www.defense-update.com/products/g/guardium.htm.

[65] For more discussion of these arguments, see Ronald Arkin, *Governing Lethal Behaviour in Autonomous Robots* (2009); Autonomous Military Robotics: Risk, footnote 33 above.

[66] United States Department of Defense, Report to Congress, Development and Utilization of Robotics and Unmanned Ground Vehicles, October 2006, at p. 9, available at http://www.ndia.org/Divisions/Divisions/Robotics/Documents/Content/ContentGroups/Divisions1/Robotics/JGRE_UGV_FY06_Congressional_Report.pdf. See also *FY 2009-2034 Unmanned Systems Integrated Roadmap*, footnote 49 above.

[67] Ronald C. Arkin, "Ethical Robots in Warfare", p. 2.

and human rights implications of the deployment of lethal robotic technologies. The following concerns are among those that require in-depth examination.[68]

32. **Definitions**. An initial hurdle in addressing the legal and ethical ramifications of these technologies concerns the lack of a uniform set of definitions of key terms such as "autonomous", "autonomy" or "robots". Uses of these terms vary significantly among the militaries of different States, as well as among defence industry personnel, academics and civilians.[69] Confusion can result, for example, from differences over whether "autonomous" describes the ability of a machine to act in accordance with moral and ethical reasoning ability, or whether it might simply refer to the ability to take action independent of human control (e.g. a programmed drone that can take off and land without human direction; a thermometer that registers temperatures).[70] As the international community begins to debate robotic technologies, it will need to at least seek a shared understanding of the systems and their characteristics.

33. **International and criminal responsibility**. One of the most important issues flowing from increased automation is the question of responsibility for civilian casualties or other harm or violations of the laws of war. As analysed at length in various prior reports by the Special Rapporteur,[71] international human rights and humanitarian law, as applied in the context of armed conflict or law enforcement, set standards that are designed to protect or minimize harm to civilians, and set limits on the use of force by States' militaries, police or other armed forces. When these limits are violated, States may be internationally responsible for the wrongs committed, and officials or others may bear individual criminal responsibility. Both

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[68] For more discussion of these arguments, see e.g., Peter Asaro, How Just Could a Robot War Be? in Philip Brey, Adam Briggle and Katinka Waelbers (eds.), Current Issues in Computing And Philosophy (2009); Jason Borenstein, The Ethics of Autonomous Military Robots, 2 Studies in Ethics, Law and Technology (2008) available at http://www.bepress.com/selt/vol2/iss1/art2; Noel Sharkey, Automated killers and the computing profession, *Computer Journal* (2007); Noel Sharkey, Death strikes from the sky: the calculus of proportionality, 28 IEEE Technology and Society 16-19 (2009); Sparrow, "Robotic Weapons and the Future of War", footnote 33 above; Sparrow, "Predators or Plowshares?", footnote 33 above.

[69] The rapid, at times almost chaotic, development of unmanned aircraft systems over the past 10 years has led to a range of terminology appearing in both military and civilian environments. As a result, some legacy terminology has become obsolete, while differing national viewpoints have made it difficult to achieve standardization on new terms ... Similarly, unmanned aircraft (UA)-related concepts such as autonomous and automated suffer from widely differing definitions, even within the United Kingdom. All of these areas have the potential to cause confusion or misunderstanding when unmanned aircraft issues are discussed between military, industrial and academic audiences. (UK Ministry of Defence, Joint Doctrine Note 3/10, *Unmanned Aircraft Systems: Terminology, Definitions and Classification, March 2010*) available at http://www.mod.uk/NR/rdonlyres/FBC33DD1-C111-4ABD-9518-A255FE8FCC5B/0/JDN310Amendedweb28May10.pdf. See also http://www.jointrobotics.com/documents/masterplan/2005%20JRP%20Master%20Plan.pdf; *Autonomous Military Robotics*, footnote 33 above; Singer, Wired for War 67 (defining "robot").

[70] Compare, for example, definitions of "autonomous", "semi-autonomous" and "automation" at United States Department of Defense, *Out Front in Harm's Way, Joint Robotic Program, Master Plan, FY 2005*, available at http://www.jointrobotics.com/documents/masterplan/2005%20JRP%20Master%20Plan.pdf and UK Ministry of Defence, Joint Doctrine Note 3/10, *Unmanned Aircraft Systems: Terminology, Definitions and Classification, March 2010* available at http://www.mod.uk/NR/rdonlyres/FBC33DD1-C111-4ABD-9518-A255FE8FCC5B/0/JDN310Amendedweb28May10.pdf.

[71] See, for example, E/CN.4/2005/7; A/61/311; and A/HRC/14/24/Add.6.

the international human rights and humanitarian law frameworks are predicated on the fundamental premise that they bind States and individuals, and seek to hold them to account. Where robots are operated by remote control and the ultimate decision to use lethal force is made by humans, individual and command responsibility for any resulting harm is generally readily determinable.

34. However, as automation increases, the frameworks of State and individual responsibility become increasingly difficult to apply. Who is responsible if a robot kills civilians in violation of applicable international law? The programmer who designed the program governing the robot's actions, any military officials who may have approved the programming, a human commander assigned responsibility for that robot, a soldier who might have exercised oversight but opted not to do so? What if the killing is attributed to a malfunction of some sort? Is the Government which deployed the robot responsible, or the principal engineer or manufacturer, or the individual who bore ultimate responsibility for programming, or someone else? What level of supervision does a human need to exercise over a robot in order to be responsible for its actions? Are circumstances conceivable in which robots could legitimately be programmed to act in violation of the relevant international law, or conversely, could they be programmed to automatically override instructions that they consider, under the circumstances, to be a violation of that law? Are there situations in which it would be appropriate to conclude that no individual should be held accountable, despite the clear fact that unlawful actions have led to civilian or other deaths?

35. Some argue that robots should never be fully autonomous — that it would be unethical to permit robots to autonomously kill, because no human would clearly be responsible, and the entire framework of accountability would break down. Others, such as Ronald Arkin, argue that it will be possible to design ethical systems of responsibility.[72] In his view, robots could be better ethical decision-makers than humans because they lack emotion and fear, and could be programmed to ensure compliance with humanitarian law standards and applicable rules of engagement. Still others respond that such thinking is predicated on unproven assumptions about the nature of rules and how robots may be programmed to understand them, and that it underestimates the extent to which value systems and ethics inform the application of the rules in ways that robots cannot replicate.[73] In order to understand how to apportion responsibility for violations of the law, say some ethicists, more research needs to be done both to understand how and why humans themselves decide to follow the law and ethical rules, as well as the extent to which robotic programming mimics or differs from human decision-making.

36. To the extent that unmanned systems are not being designed to support investigation, they raise additional transparency and accountability concerns. Perhaps most troublingly from an international law perspective, some have indicated that unmanned systems are not designed to support investigation. They do not

[72] *Responsibility and Lethality for Unmanned Systems*, footnote 50 above; Ronald C. Arkin, Patrick Ulam and Brittany Duncan, "An Ethical Governor for Constraining Lethal Action in an Autonomous System", GVU Technical Report GIT-GVU-09-02, GVU Center, Georgia Institute of Technology, 2009.

[73] For example, Peter Asaro, "Modeling the Moral User", 28 *IEEE Technology and Society* 20-24 (2009); Noel Sharkey, "Death Strikes from the Sky: The Calculus of Proportionality", 28 *IEEE Technology and Society* 16-19 (2009); Sparrow, "Robotic Weapons and the Future of War", footnote 33 above.

archive information. They leave open the possibility of soldiers pointing to the machine, declaring, "I'm not responsible — the machine is".[74] In order to comport with States' international law obligation to provide accountability for the use of lethal force, any unmanned weapons system, regardless of the degree of automation, must not hinder — and indeed should facilitate — States' ability to investigate wrongful conduct.

37. **Safeguards and standards for deployment**. Another significant problem concerns the ability of robots to comply with human rights and humanitarian law, and the standards relevant to programming and the development of technology for deployment. What standards or testing must be conducted before armed machines are able to conduct crowd control, patrol in civilian populated areas, or be enabled to decide to target an alleged combatant? While any kind of technology has the potential to malfunction and result in lethal error, the particular concern with the rapid development of robotic weapons is whether — and the extent to which — technical safeguards are built into the systems to prevent the inadvertent or otherwise wrongful or mistaken use of lethal force. What programming or other technical safeguards have been and should be put in place to ensure that the precautions required by international humanitarian law are taken? What programming safeguards would international humanitarian law require?

38. Troublingly, military and civilian experts acknowledge that robotic development in general is being driven by the defence industry, and that few systems in the field have been subjected to rigorous or standardized testing or experimentation.[75] The United States military, for example, admits that in the interests of saving military lives in the conflicts in Iraq and Afghanistan, robotic systems may be deployed without the requisite testing for whether those systems are, in fact, reliable.[76]

39. In the context of armed conflict generally, and especially in urban areas, military personnel often have difficulty discriminating between those who may be lawfully targeted — combatants or those directly participating in hostilities — and civilians, who may not. Such decision-making requires the exercise of judgement, sometimes in rapidly changing circumstances and in a context which is not readily susceptible of categorization, as to whether the applicable legal requirements of necessity and proportionality are met, and whether all appropriate precautions have been taken. It is not clear what criteria would be used to determine whether a robot is ever capable of making such decisions in the manner required, or how to evaluate the programs that might purport to have integrated all such considerations into a given set of instructions to guide a robotic technology.

40. In addition, there is the concern that the development of lethal capacity has outpaced the development both of safeguards against technical or communications error. For example, military strategic planning documents caution that it "may be

[74] 2008 Harvard Session, footnote 33 above, p. 8.

[75] 2008 Harvard Session, footnote 33 above, p. 2.

[76] *FY 2009-2034 Unmanned Systems Integrated Roadmap*, note 49 above, 39-40 ("The current commitment of combat forces has seen a number of unmanned systems fielded quickly without the establishment of the required reliability and maintainability infrastructure that normally would be established prior to and during the fielding of a system. This was justifiably done as a conscious decision to save Warfighter's lives at the risk of reliability and maintainability issues with the equipment fielded.").

technically feasible" for unmanned aerial systems to have nuclear strike capability before safeguards are developed for the systems, and that ethical discussions and policy decisions must take place in the near term in order to guide the development of future unmanned aerial systems capabilities, rather than allowing the development to take its own path.[77]

41. There are also questions about how and when the benefits of speedy processing of intelligence and other data is outweighed by the risks posed by hasty decision-making. Man-on-the-loop systems, for instance, raise the concern that technology is being developed that is beyond humans' capacity to supervise effectively and in accordance with applicable law. With respect to swarm technologies, some research has found that human operators' performance levels are reduced by an average of 50 per cent when they control even two unmanned aircraft systems at a time.[78] The research suggests that the possibility of lethal error rises as humans play a "supervisory" role over a larger number of machines. Unless adequate precautions are taken and built into systems, the likelihood increases that mistakes will be made which will amount to clear violations of the applicable laws.

42. A related concern is what safeguards should or must be put in place to prevent ultimate human control of robots from being circumvented, and what safeguards can be implemented to prevent lethal robots from being hacked or used by, for example, insurgent or terrorist groups.

43. **Civilian support**. An important political consideration is whether the widespread use of robots in civilian settings, such as for law enforcement in cities, or in counter-insurgency operations, would alienate the very populations they were meant to assist. Over-reliance on technology increases the risk that policymakers and commanders will focus on the relatively easy use of armed or lethal tactics to the detriment of all the other elements necessary to end a conflict, including winning hearts and minds, and that policymakers will overestimate the ability of new technologies to achieve sustainable peace. In addition, while robots may have the benefit of not acting based on emotion, they also do not have the kind of sympathy, remorse or empathy that often appropriately tempers and informs the conduct of fighters and their commanders.

44. **Use of force threshold and jus ad bellum considerations**. To the extent that decisions about whether to go to war are limited by the prospect of the loss of the lives of military personnel, and the high economic cost of warfare, robotic armies may make it easier for policymakers to choose to enter into an armed conflict, increasing the potential for violating jus ad bellum requirements. This may be particularly the case where the other side lacks the same level of technology. Similarly, within the context of armed conflict, insofar as robots are remotely controlled by humans who are themselves in no physical danger, there is the concern that an operator's location far from the battlefield will encourage a Playstation mentality to fighting and killing, and the threshold at which, for example, drone operators would be willing to use force could potentially decrease. Thus, the

[77] *Unmanned Aircraft Systems Flight Plan 2009-2047*, footnote 44 above, p. 41.

[78] P. W. Singer, "Robots at War: The New Battlefield", *Wilson Quarterly*, Winter 2009; see also Jessie Y. C. Chen, et al., Human-Robot Interface: Issues in Operator Performance, Interface Design, and Technologies, United States Army Research Laboratory, ARL-TR-3834, July 2006, http://www.dtic.mil/cgi-bin/GetTRDoc?Location=U2&doc=GetTRDoc.pdf&AD=ADA451379 (discussing research findings on benefits and drawbacks of automation).

international community should consider whether and when reduced risk to a States' armed forces resulting from the extensive use of robotic technologies might unacceptably increase the risk to civilian populations on the opposing side.

V. Conclusions and recommendations

45. **It is a cliché to say that new technologies, especially in the domains of information, communications, and weaponry, have transformed the world of the twenty-first century. In contrast, however, the human rights community often seems determined to remain firmly rooted in the twentieth century. It has often failed to take adequate advantage of the opportunities offered by new technologies whether for fact-finding, monitoring or supervision of States' obligations. It has also been remarkably slow in coming to grips with the implications of new technologies in areas such as robotics. This reticence, or neglect, has serious consequences in terms of its ability to reduce extrajudicial executions and diminish the rampant impunity that continues to attach to such killings in so many parts of the world.**

46. **Human rights methodologies have tended to be dominated by a catch-up mentality. The assumption often seems to be that new approaches should be considered only after it has become patently obvious that existing approaches are no longer adequate. This needs to change and the United Nations, as well as Governments and civil society groups, should adopt a much more proactive approach. In this spirit, two major recommendations emerge.**

47. **The Office of the United Nations High Commissioner for Human Rights should convene an expert group of information and communication technology experts, humanitarian and human rights actors with experience using new technologies, and relevant private sector representatives to discuss the current and potential human rights applications of new technologies and the obstacles to their effective use. The group should also address: how to protect the security of those reporting abuses (e.g. location tracking; protected data transmission technologies); how to improve access to and use of satellite and other aerial imagery; the use by human rights actors of crowdsourcing platforms to receive allegations of abuses; how to promote the use of new technologies and outreach to local communities; how to measure the impact of ICT on the promotion of human rights; and what type of new international standards, if any, should be developed in this area.**

48. **Urgent consideration needs to be given to the legal, ethical and moral implications of the development and use of robotic technologies, especially but not limited to uses for warfare. The emphasis should be not only on the challenges posed by such technological advances, but also on the ways in which proactive steps can be taken to ensure that such technologies are optimized in terms of their capacity to promote more effective compliance with international human rights and humanitarian law. For this purpose, the Secretary-General should convene a group of military and civilian representatives from States, leading authorities in human rights and humanitarian law, applied philosophers and ethicists, scientists and developers to advise on measures and guidelines designed to promote that goal. The group should consider what**

approaches might be adopted to ensure that such technologies will comply with applicable human rights and humanitarian law requirements, including:

(a) That any unmanned or robotic weapons system have the same, or better, safety standards as a comparable manned system;

(b) Requirements for testing the reliability and performance of the technology before its deployment; and

(c) Inclusion of recording systems and other technology that would permit effective investigation of and accountability for alleged wrongful uses of force.

49. In its work, the group could address the need for greater definitional uniformity in relation to the types of technology being developed, the need for empirical studies to better understand the human rights implications of the technologies, and the fundamental question of whether lethal force should ever be permitted to be fully automated.

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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Final evaluation of the implementation of the first phase of the World Programme for Human Rights Education

Report of the United Nations Inter-Agency Coordinating Committee on Human Rights Education in the School System, as submitted by the Office of the High Commissioner for Human Rights

Summary

The present report is submitted in response to Human Rights Council resolution 12/4, in which the Council requested the United Nations Inter-Agency Coordinating Committee on Human Rights Education in the School System to submit to the General Assembly a final evaluation report, based on national evaluation reports, on the implementation of the first phase of the World Programme for Human Rights Education. The report finds that the 76 Member States which provided national evaluation reports are taking some measures to integrate human rights education in their school systems. There is particularly notable progress in making human rights education part of national curricula. There are also a number of national initiatives in terms of policy and action to foster a culture of respect for human rights in daily school life. Certain gaps in implementation remain, which suggests the need for a more comprehensive and systematic approach at the national level. Accordingly, Member States are encouraged to consolidate progress further by continuing implementation in line with the guidance provided by the plan of action.

* A/65/150.

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I. Introduction

A. Background information

1. The General Assembly, in resolution 59/113 A of 10 December 2004, proclaimed the World Programme for Human Rights Education as a global initiative structured in consecutive phases, intended to advance the implementation of human rights education programmes in all sectors. The first phase of the World Programme covered the period 2005-2009[1] and focused on integrating human rights education in the primary and secondary school systems.

2. In resolution 59/113 B of 14 July 2005, the Assembly adopted the plan of action for the first phase of the World Programme (A/59/525/Rev.1), which proposes a concrete strategy and practical guidance for implementing human rights education nationally.[2] The Assembly, inter alia, encouraged all States to develop initiatives within the World Programme and, in particular, to implement, within their capabilities, the plan of action; and appealed to relevant organs, bodies or agencies of the United Nations system, as well as all other international and regional intergovernmental and non-governmental organizations, within their respective mandates, to promote and technically assist, when requested, the national implementation of the plan of action.

3. The plan of action was developed by a broad group of education and human rights practitioners from all continents. It seeks to promote a holistic, rights-based approach to the education system that includes both "human rights through education", ensuring that all the components and processes of education — including curricula, materials, methods and training — are conducive to the learning of human rights, and "human rights in education", ensuring that the human rights of all members of the school community are respected. Human rights education activities should convey fundamental human rights values, such as equality and non-discrimination, while affirming the interdependence, indivisibility and universality of these principles. At the same time, activities should be practical, relating human rights to learners' real-life experience and enabling them to build on human rights principles found in their own cultural context.

4. The plan of action recognizes the diversity of country contexts and the varying possibilities for integrating human rights education into school systems. It highlights the following five components which support the implementation of human rights education at the national level: policies; policy implementation; the learning environment; teaching and learning processes and tools; and education and professional development of teachers and other education personnel. The plan of action includes an appendix entitled "Components of human rights education in the primary and secondary school systems", which provides further guidance on how each of these components can be implemented and proposes good practice based on successful experiences from around the world as well as studies and research.

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[1] Although the first phase of the World Programme was initially launched for three years, until 2007, the Human Rights Council subsequently decided, in its resolution 6/24 (28 September 2007), to extend the first phase by two more years until the end of 2009.

[2] For ease of reference, OHCHR and UNESCO jointly published the Plan of Action in a booklet, which can be accessed in all six official languages of the United Nations at www2.ohchr.org/english/issues/education/training/planaction.htm.

Relevant actors are urged to strive towards gradual and progressive implementation. The components are addressed in greater detail in subsequent sections of the present report.

5. In paragraph 26 of the plan of action, it is suggested that national implementation of the plan of action take place in four stages: analysis of the current situation of human rights education in the school system; setting priorities and developing a national implementation strategy; implementing and monitoring; and evaluating. In paragraph 27, Member States are encouraged to undertake at least the first two stages during the first phase of the World Programme, as well as initial implementation of planned activities.

6. The United Nations Inter-Agency Coordinating Committee on Human Rights Education in the School System was established in September 2006, in accordance with the plan of action, to facilitate coordinated United Nations support for the national implementation of the plan of action during the first phase. The Office of the High Commissioner for Human Rights (OHCHR) has provided the secretariat for the Coordinating Committee.[3]

B. Mandate for the evaluation

7. The plan of action calls for an evaluation of action undertaken during the first phase of the World Programme (2005-2009). Paragraph 49 states that each country will undertake an evaluation of actions implemented under the plan of action, taking into consideration progress made in legal frameworks and policies, curricula, teaching and learning processes and tools, revision of textbooks, teacher training, improvement of the school environment and other areas. The Member States will be called upon to provide their final national evaluation report to the Coordinating Committee. Paragraph 51 provides that the Coordinating Committee will prepare a final evaluation report based on national evaluation reports, in cooperation with relevant international, regional and non-governmental organizations. The report will be submitted to the General Assembly.

8. The Human Rights Council, in its resolution 12/4 of 1 October 2009, reminded Member States to submit their national evaluation reports to the Coordinating Committee by early 2010 and requested the Coordinating Committee to submit a final evaluation report of the implementation of the first phase of the World Programme, based on national evaluation reports, in cooperation with relevant international, regional and non-governmental organizations, to the General Assembly at its sixty-fifth session. Accordingly, the present evaluation report takes stock of reported progress during the first phase against the objectives set out in the plan of action.

[3] The Coordinating Committee is composed of 12 entities: the Office of the United Nations High Commissioner for Human Rights, the Joint United Nations Programme on HIV/AIDS, the United Nations Development Group, the United Nations Development Programme, the Department of Public Information, the United Nations Educational, Scientific and Cultural Organization, the United Nations Population Fund, the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and the World Bank. The Council of Europe has participated as an observer.

C. Evaluation methodology

9. The evaluation methodology was discussed by the Coordinating Committee at its meetings of February and December 2009. It was agreed that it would be carried out through a documentary review of primary and secondary sources of information on national initiatives carried out during the first phase.

10. The primary sources of information are the national evaluation reports which were sent in reply to an evaluation questionnaire developed by the Coordinating Committee and distributed by OHCHR in early 2010 to the 192 States Members of the United Nations.[4] As at 21 July 2010, OHCHR had received 76 responses; the list of countries having submitted national evaluation reports is contained in annex I to the present report. Many countries provided detailed answers and supplementary documents. Some countries, such as Albania, Mexico, Senegal and Zimbabwe, reported having involved a range of stakeholders in the production of the report. Cambodia noted that it had deployed a comprehensive methodology involving sampling; data collection and assessment on the ground; reporting by provincial departments; analysis and discussion by various heads of departments at national level; drafting and finalization by the central education department; and final approval by top leaders. The national reports were mainly compiled by ministries of education; in some countries, other offices dealing with external affairs, human rights, finance and justice were involved or even took the lead. External stakeholders such as non-governmental organizations, youth representatives and others were rarely involved in producing the national reports.

11. The evaluation also takes into account information contained in a variety of secondary sources submitted by Governments to the United Nations in the period 2005-2010, namely:

(a) Other correspondence received from Governments on national human rights education initiatives in the context of the World Programme, including replies to letters from OHCHR/UNESCO and the Coordinating Committee;

(b) Correspondence from Governments concerning the implementation of the International Year of Human Rights Learning;

(c) Replies from Governments to the questionnaire of the Human Rights Council advisory committee on the draft United Nations declaration on human rights education and training;

(d) Governments' common core documents;

(e) National reports submitted to the Working Group on the Universal Periodic Review.

12. The replies to the evaluation questionnaires were analysed in detail; the consistency in structure made it possible to make cross comparisons and to identify global trends and common challenges among Governments. The present report is therefore very largely based on the data contained in the national evaluation reports. It gives examples of national initiatives drawn from this body of information, which are intended to be illustrative and are by no means exhaustive. The secondary

[4] The text of the questionnaire can be consulted at www2.ohchr.org/english/issues/education/training/evaluationWPHRE.htm.

sources of information were, by contrast, more variable; they addressed different types of issues to varying levels of depth, making a detailed comparative analysis less feasible or appropriate. Accordingly, this second body of information was consulted only for countries that did not submit national evaluation reports (the list of those countries is contained in annex II to the present report). This dual approach enables the evaluation report to give a sense of global progress while focusing more deeply on specific issues and the experiences of individual countries which responded to the questionnaire.

13. No governmental information was available on approximately 60 countries. It may well be that these countries are taking measures related to human rights education; however, this report is not making any comments or drawing any conclusions about them.

14. The evaluation had recourse to over 200 documents, between primary and secondary sources, and there were various methodological issues to consider in the handling of this volume of information of differing quality and content. The national evaluation reports varied considerably: they were sometimes incomplete or ambiguous, e.g. containing conflicting or multiple replies to the same question or lacking in clarity owing to language, handwritten scripts or limited information. Some countries did not follow the questionnaire structure in their answers; others reported future plans rather than an assessment of progress to date. Three subnational reports were received from one Government, reflecting the decentralized competence for education matters.

15. In order to bring some consistency and to report against the plan of action as comprehensively as possible, the analysis was organized according to each of the five components of the plan of action. The questions in the evaluation questionnaire were divided up as follows:

(a) Component one, on policies, includes an analysis of questions 10, 13, 14, 15, 16, 18, 23 and 25;

(b) Component two, on policy implementation, includes an analysis of questions 11, 12 and 22;

(c) Component three, on the learning environment, includes an analysis of questions 17, 19, 20 and 21;

(d) Component four, on teaching and learning processes and tools, includes an analysis of questions 24 and 26;

(e) Component five, on education and professional development of school personnel, includes an analysis of questions 27, 28, 29 and 30.

16. The analysis keeps to this structure and aims as far as possible to report information as it was provided by Governments. An effort was made not to move information around to answer different questions from those intended by the respondent.

17. Finally, it is important to stress that the present report, in accordance with the plan of action and as reiterated by the Human Rights Council, is based on national evaluation reports provided by Member States. It is an analysis of official information provided in those self-assessments; it is not an independent verification or assessment of the information provided or of the quality of the actions taken.

II. Action at the national level

A. Policies

18. The first component of the plan of action, policies, involves "developing in a participatory way and adopting coherent educational policies, legislation and strategies that are human rights-based, including curriculum improvement and training policies for teachers and other educational personnel" (para. 18 (a)).

Human rights and educational policies

19. All 76 responding Governments state that they have educational policies which promote human rights education. Of these, 57 report having policies which explicitly refer to human rights, the right to education and rights-based approaches to the education system. These commitments are integrated in a range of legal and policy frameworks such as constitutions, education laws and legislation and policies related to specific topics such as child protection, disability, gender equality, domestic violence, sexual harassment and minority rights.

20. Some countries like El Salvador and Uruguay make specific reference in their policies to human rights education. Nicaragua has a specific law on the teaching of human rights and the Constitution. In Austria, there are decrees on education for democratic citizenship and human rights education. A number of other Member States report similar policy commitments but a closer examination of supporting documents finds that the term "human rights" is often not used explicitly. They refer to subjects like civic education, citizenship education, peace education, multicultural education and education for sustainable development, under which human rights issues are said to be addressed. Germany cites recommendations of the Standing Conference of Ministers of Education and Cultural Affairs on education for democratic citizenship, education for sustainable and global development and intercultural education which have been transformed into land law.

21. Some countries have refined their human rights education policies after reviewing their implementation. Norway developed its first plan of action on human rights in 2000 and is now making fundamental changes to its education laws in response to feedback received from civil society actors who identified the fragmented implementation of human rights education as a challenge.

22. Regional human rights education initiatives may support a coordinated policy approach at the national level. The Arab Plan for Education on Human Rights has been taken up by Iraq, Oman, Qatar and others. In Europe, Norway established the European Wergeland Centre in cooperation with the Council of Europe, with a view to offering support to European States on education for intercultural understanding, human rights and democratic citizenship. Tunisia collaborates with organizations like the Arab Institute for Human Rights (*Institut arabe des droits de l'Homme*) and the Centre of Arab Women for Training and Research.

Human rights in the school curriculum

23. The plan of action calls for the integration of human rights education in the school curriculum. Most Member States seem to have focused on this course of action. Numerous Governments including Australia, Barbados, Chile, Côte d'Ivoire, Indonesia, Namibia, Zambia and others report that human rights education is

integrated in the national curriculum and in educational standards. A few countries teach human rights as a stand-alone subject but many integrate human rights as a cross-cutting issue, most often in subjects such as citizenship, civic education and social studies, but also in other disciplines such as law, religion, life skills, ethical and moral education, environment, health and physical education and others.

24. In Costa Rica, human rights, democracy and peace is one of the four cross-cutting transversal axes of the curriculum, seen as part of daily learning and experience. The Russian Federation has adopted a dual approach, teaching human rights and the rights of the child as a single subject as well as integrating them in other subjects, such as social sciences or law, as confirmed by a study undertaken in 2007-2008. A related survey found that 93 per cent of students felt their school studies covered human rights and the rights of the child. A study in Egypt by the National Council for Human Rights found that Arabic language and social studies courses in the fourth year of primary school took human rights into account. In Thailand, human rights appears in three subject areas: the social, religious and culture subject area, which covers child rights, human rights standards and mechanisms and the Universal Declaration on Human Rights; the health and physical education subject area, which covers topics such as consumer protection and freedom from sexual abuse; and the occupational and technologies subject area, which addresses the right to work. The Syrian Arab Republic has developed a national curriculum integrating principles and values related to human rights, including women's rights, in diverse subjects in primary and secondary education.

25. The majority of countries state that "human rights" is a compulsory subject and only one country reported it to be a completely optional course of study. Among the countries that reported it to be mandatory, Portugal said that it was compulsory for elementary school pupils (6 to 15 years of age); the civic education course explicitly provides for human rights education and there is a mandatory training module for students of 10 to 11 years of age referred to as "Citizenship and security" which approaches security issues from a human rights perspective. Human rights education as part of the national curriculum is also obligatory in Hungary and in Malaysia where it is part of subjects such as civics and citizenship education, moral education and Islamic education taught at both primary and secondary level. Some countries make it optional at certain stages of the school career and mandatory at others.

26. Governments gave detailed responses about the number of hours of study devoted to these curricular subjects. In most countries at least one or two hours a week are allocated to subjects which include human rights. However, it is not clear how extensively human rights are integrated into those subjects, what is being studied and how much actual time is spent on human rights. Cuba was one of the few countries to provide details showing the inclusion of specific human rights topics in its general curriculum. In addition, reference has been made to a number of extra-curricular human rights activities, for example, the "Human Rights Olympics" organized in Slovakia since 1997, which involve secondary school students in a nationwide annual competition testing their knowledge and essay-writing skills. In the Philippines, the Government has extended human rights education to the non-formal sector in order to reach out-of-school youth.

27. The national evaluation reports mention that the course content is being adapted to the needs of pupils of differing ages and abilities. Ukraine has

methodologies that progressively tackle the complexity of human rights as students become older. In Chile, human rights education takes a comprehensive and staggered approach which addresses human rights issues step by step, starting from class-level activities to promote peace and tolerance among young children, and moving to the study of human rights violations committed during the military regime for older students. In France, there is a multifaceted programme which looks at notions of individual and collective responsibility. Human rights education starts from looking at concrete situations and turns to analysing how human rights can respond to these situations; it also includes awareness of major human rights documents. Some countries like El Salvador and Italy integrate human rights education into early childhood learning and nursery/kindergarten level through age-appropriate activities.

28. On the issue of which institutions have the authority to develop, approve and change the curriculum, Governments invariably answered that the Ministry of Education gives final approval. In some States, authority is given to an independent body in which the Ministry of Education is one stakeholder among others. In Costa Rica, for example, the Higher Education Council comprised of various ministries, representatives of universities, secondary and primary schools, teachers and provincial boards approves the curriculum. In Cyprus, the Committee of Experts for the development of a new curriculum has held structured consultations with interested stakeholders such as teachers' unions as well as parent and student associations. In Madagascar, the Ministry of National Education and the National Council of Education in partnership with eight national directorates for private education approve the curriculum. In some countries, regional organizations have influence in the development, approval and changing of curricula; Guyana reports that the Caribbean Examination Council plays this role with the approval of its member countries.

Policies concerning textbooks development

29. The development of policy guidelines for writing or revising textbooks that reflect human rights principles is an important contribution to human rights education. The majority of Governments (39 out of 76) said that they had such guidelines; two explicitly said that they did not, the rest did not respond clearly. In Jordan, a matrix of human rights, culture of peace and common universal values was prepared by Jordanian human rights experts to act as a reference for curriculum planners and textbook writers. In Peru, the Government took the approach of defining key principles on which such texts should be based, such as multiculturalism, equality and inclusion. In Cambodia, human rights education is incorporated in textbooks within the "Life skills" teaching framework; the same applies to Gambia. The Philippines reports that the Department of Education has issued criteria for assessing whether texts are free from ideological, religious, racial and gender prejudices. Responses to this question from other countries sometimes suggested that guidance may be somewhat limited, e.g. one country referred only to gender equality.

30. Only a minority of Governments responding to the evaluation questionnaire (21 out of 76) could confirm that textbooks had been developed in accordance with specific guidelines. El Salvador cites specific textbooks used in the school system which cover human rights, including national and international laws. Thailand is one of a small number of countries to have carried out a review of textbooks in order to

identify gaps requiring attention. There seem to be very few Governments which produce textbooks themselves; one example is the Education Centre for Research and Development which is the sole public body in Lebanon with the authority to issue textbooks related to civic education. Most Governments appear only to set curriculum guidelines, which are not always mandatory, and then allow commercial companies, private authors, civil society groups, schools and others to develop textbooks on their own. The process of approval seems to vary considerably; the Czech Republic has a certification process while others take a more informal approach. Governments like Norway and the United Kingdom of Great Britain and Northern Ireland give schools the autonomy to choose their own materials, making it inappropriate for the Government to set tight guidelines on textbook content.

Policies concerning the learning environment

31. The plan of action promotes human rights practice in all aspects of school life. Few countries could provide details of national or subnational policies that promote a human rights approach to school governance, management, disciplinary procedures, inclusion policies and other regulations and practices affecting school culture and access to education. The replies tend to make ad hoc reference to general policies already mentioned such as child protection, inclusion, gender equity, non-discrimination, coexistence, violence, child-friendly schools and so on. There were nonetheless some examples of these types of issues being addressed. Gambia, Spain and others state that these issues are covered by school management manuals. In Mauritius, the school management manual also applies to the private sector education. Slovenian schools have a school education plan and a school code of conduct.

Policies concerning teacher training

32. The overall approach to teacher training seems ad hoc. There are only a few examples of a comprehensive policy on teacher training in accordance with the plan of action. A fair number of countries (15) did not respond at all or said they had no such policy. A recurrent reason relates to the issue of academic freedom, independence and institutional autonomy for higher education establishments. Norway, for example, says that the Government may not instruct such institutions on the content of teaching and research but can set a national curriculum for certain subjects; from 2010, future graduates will cover child rights from a national and international perspective. The Philippines reports that a 1998 Department of Education order provides for the training of teachers to become human rights teachers.

Final observations

33. Overall, an analysis of primary source information shows that all 76 respondent Governments have reported policy-level commitments with regard to human rights education to some degree; the secondary source information analysis shows that approximately 32 additional countries have relevant policy statements in place. The fact that in many cases human rights education is said to be covered by related subjects, such as peace education, democratic citizenship education, civic education, education for sustainable development or life skills education, or as a cross-curricular issue, makes it difficult to draw firm conclusions on how far human rights principles are embodied in educational policies. Efforts made to integrate

human rights education into national curricula seem particularly encouraging, while other policy areas seem to be overlooked, in particular as far as teacher training is concerned.

B. Policy implementation

34. The second component of the plan of action, policy implementation, refers to "planning the implementation of the above-mentioned educational policies by taking appropriate organizational measures and by facilitating the involvement of all stakeholders" (para. 18 (b)).

Overall national human rights education strategies and plans

35. The plan of action recommends the elaboration and dissemination of a comprehensive national implementation strategy with regard to human rights education in the school system. Nearly all Governments report having a national implementation strategy on human rights education, not necessarily developed in the context of the World Programme; only very few say that they have no strategy at all — sometimes because their federal political structures preclude the possibility of overall national planning. Examples of comprehensive national initiatives include Burkina Faso, which developed a strategy on the promotion and protection of human rights in 2008. In Guatemala, the peace accords set out the need to develop a national civic education programme for democracy and peace, which promotes human rights, the renewal of political culture and the peaceful resolution of conflicts. The implementation plan involved assessing needs, conducting forums and surveys and the provision of training to educators by the national human rights institution (*Procuraduría de los Derechos Humanos*). Tunisia established a National Commission on Human Rights Education in April 1996 presided over by the Ministry of Education, to be in charge of putting in place a related national strategy. Under Jordan's human rights education plan, the National Commission for Education, Culture and Science has been appointed as a liaison between the Ministry of Education and other national organizations; it focuses on coordination arrangements, curriculum development, training and collaboration with bodies such as the National Centre of Human Rights. In Qatar, a supreme committee was formed comprising both national ministries and UNESCO to supervise child rights education in schools; it has developed a national action plan to provide educational guides for teachers which align international principles with Islamic culture. Croatia has a comprehensive national human rights education programme which was developed in the second half of the 1990s under the auspices of the National Human Rights Education Committee established by the Government. Morocco has made a major effort to integrate human rights education into the curriculum, programmes and manuals and raises awareness about its national programme on occasions such as Human Rights Day, International Children's Day and International Women's Day.

36. A majority of countries report that human rights education is included either fully or partially in national plans and strategies on human rights, the fight against racism and discrimination, gender equality, poverty reduction, primary and secondary education, education for all and education for sustainable development. The national evaluation reports provide examples of countries taking this approach. In Costa Rica, human rights education is dealt with in the context of programmes related to violence in schools, the participation of students and relations with the

wider community, gender equality and the rights of disabled persons. In New Zealand, human rights education is dealt with in the context of the rights of minority and indigenous groups, resulting in a curriculum document which was developed with the full participation of indigenous groups and which addresses their interests. In Switzerland, human rights education is part of the national plan for education for sustainable development (2007-2014), while in the United Kingdom (Scotland), the Government is providing over £9 million in funding during the period 2008-2011 to organizations tackling racist attitudes and working to improve the lives of ethnic minority communities through, among others, education initiatives.

37. The involvement of young people in the development of national human rights education strategies, as recommended in the plan of action, through youth associations or student parliaments, has been reported by certain countries including the Democratic Republic of the Congo, Estonia, Mauritania, the Sudan, Turkey and Venezuela (Bolivarian Republic of). Youth organizations were involved in the development of the Bolivian national human rights action plan known as *Bolivia Digna Para Vivir Bien 2009-2013* and in the 2002 National Conference of Education for Citizenship and Civics in Madagascar. They are represented in the Committee on Education for Health and Citizenship in Morocco. Kuwait reports that students were involved in the development of a national human rights education strategy through student councils. Despite some examples, the practice of involving stakeholders outside governmental circles in the development of national strategies does not appear to be widespread.

38. In several cases, countries report having a national implementation strategy for human rights education in the school system but this is not substantiated; the replies often refer back to higher-level policy commitments (e.g. education laws) or fragmented implementation measures such as textbook design, teacher training or curriculum content rather than a holistic strategic document setting out objectives, roles and responsibilities, timelines, activities and so on. The website addresses provided by some Governments likewise often refer back to general legislation. Some countries emphasize the way forward rather than existing initiatives.

Funding for human rights education

39. The plan of action encourages the allocation of specific funding for human rights education by optimizing already committed national funds; by coordinating external funds; and by creating partnerships between the public and private sectors. According to the replies, funds for human rights education in all countries seem to come from the general education budget and it is not usually possible to be more specific about allocations because human rights education is part of wider curriculum subjects. Moreover, many countries said that allocations could not be tracked because schools have discretion in how the budget is spent. Only one country, Switzerland, could give some quantification based on federal allocations; the Federal Department of Home Affairs funds projects against racism and human rights education (including the rights of the child) in schools, as well as projects run by the Foundation for Education and Development. A number of countries such as Belarus and Portugal reported projects being supported by regional and international organizations; however, in all cases funds provided by external donors were not itemized in Government responses. Malaysia pointed out that supplementary budget for human rights education may come from school funds and parent-teacher association activities.

Research

40. There are some examples of countries supporting and promoting research in line with the plan of action. For instance, the Russian Federation and Slovakia have both carried out research on teacher attitudes to human rights education. Thailand has drawn on external academic research to review the progress of human rights education in schools.

Final observations

41. The 76 countries that responded to the questionnaire affirm to be putting policy implementation measures in place. An analysis of the secondary sources shows an additional 43 countries taking implementation steps with regard to human rights education in schools. A systematic approach, however, starting with a comprehensive analysis of the state of human rights education in all areas of the plan of action, including policies, curricula and textbooks, teacher training, teaching methods and the school environment, as well as an assessment of remaining needs and the establishment of specific objectives and priorities, is rarely in place. Some countries have undergone such a process but not necessarily in the context of the World Programme, rather in the framework of specific national developments.

C. The learning environment

42. A learning environment conducive to human rights education "respects and promotes human rights and fundamental freedoms. It provides the opportunity for all school actors (students, teachers, staff and administrators and parents) to practise human rights through real-life activities. It enables children to express their views freely and to participate in school life" (para. 18 (g) of the plan of action).

School-level initiatives

43. Some Governments provided details of what is being done in this area. Argentina reports rules on school life which promotes the principles of non-discrimination, participation and accountability. Paraguay has campaigns on school violence and common values; Costa Rica has programmes on peace, environmental issues, the abuse of power and active citizenship; New Zealand has activities on restorative justice, bullying and harassment; Malta is running a national school campaign on the eradication of poverty and social exclusion; Burkina Faso promotes inclusive education to eliminate all forms of discrimination against children with special needs. In the Democratic Republic of the Congo human rights education is promoted by the UNESCO associated schools network, whereas in Monaco UNESCO clubs have been established within schools. Senegal focuses on meeting the basic needs of health and nutrition in schools through the provision of school meals, sanitary facilities and medical care as well as programmes on citizen action and international humanitarian law and clubs for human rights, gender and peace education. Guyana also has a focus on health; a number of schools have established student health clubs which promote self-esteem and awareness of the dangers of drug use and sexually transmitted diseases. Most secondary schools have student councils; there are also sports clubs, debating clubs and scouts groups, for example, that allow students to express themselves.

Active participation of students

44. Most countries feel that they are making at least average if not comprehensive progress in providing students with opportunities for self-expression, for organizing their own activities and advocating their interests, and for participation in decision-making. Only one country reported not being able to address these issues at all. Furthermore, when it comes to integrating human rights in the learning environment through school governance and management, nearly half (32) of respondents rated themselves as making at least average progress.

45. A number of countries have institutionalized policies and mechanisms which foster youth expression and participation. In France, students have the right to assemble, publish and display and, from the age of 16, the right to form associations. They elect student representatives to institutional boards both at *collège* (11-14 years) and at *lycée* (15-18 years) levels. There is also the country-wide *Conseil national de la vie lycéenne* chaired by the Minister of National Education. In Belarus, legislation exists to give children the right to express themselves and to participate in the management of educational institutions. Structures to give children voice are also often institutionalized, for example, children's parliaments in Lithuania and Slovenia which have access to policymakers; student governments in Albania; and human rights committees and human rights groups in Iraq. In Zimbabwe, the system of school prefects and institutions such as student parliaments, junior councils and youth round tables facilitate the participation of students in school governance. Jordan is supporting student expression through the role of school press and radio, opportunities for dialogue between students and teachers/administrators through meetings and the creation of student parliaments. Guatemala, New Zealand, Senegal, Uruguay and others confirm that student participation in school governance structures is facilitated through mechanisms like student councils, parliaments and elected representatives.

Involvement of schools with the local community

46. The majority of Governments consider that this is happening to some degree if not comprehensively; only a small minority (8) report that it is not occurring in their national context. Parent-teacher associations are commonplace. Estonia reports, for example, that parents associations are active on child rights. In Guyana, parent-teacher associations and school boards comprise members of the surrounding community including parents, citizens and representatives of various interest groups. Elected officials at both regional and neighbourhood council levels are also involved, as the public school budget is implemented through the regional administration system. Israel reports existing dialogue between students, parents and teachers on human rights principles. In Belgium (Flemish community), "broad or community schools" aim to strengthen ties between the school and the local environment including local councils and civil society; a "broad school" is a network of organizations around a school which try to assure the personal and social development of children and youngsters. In Oman, parent-teacher councils, women's associations, ministry representatives and local dignitaries have a significant role in the concept of "learning villages" which use community-based approaches to eradicate illiteracy; other initiatives include the connecting cultures initiative, Outbound Oman and the youth summit. Both Madagascar and Montenegro collaborate with non-governmental organizations in the promotion of

human rights education. In Honduras, the Committee of Relatives of the Disappeared Detainees in Honduras (*Comité de Familiares de Detenidos Desaparecidos en Honduras*) gives talks and seminars to students. In the United Kingdom (Northern Ireland), the Government has been cooperating with Amnesty International and other stakeholders in the "Lift Off" programme which has provided resources and materials to support the curriculum.

Monitoring and evaluation systems for human rights education

47. On the issue of setting up monitoring systems to measure factors such as the respect for human rights in teaching practice, teaching quality with respect to human rights education, respect for human rights principles in school management and change in student knowledge and behaviour, most countries assess themselves as making average or comprehensive progress. Only two feel they are not doing anything at all. Some countries note being unable to have a national approach because of their federal structure.

48. A number of countries such as Argentina, the Czech Republic, France, Serbia, Slovenia, New Zealand, the United Kingdom (England) and others make reference to ongoing evaluation and monitoring systems, assessments and school inspections but it is not clear how far these encompass human rights education. Some report more specific initiatives. Slovakia has been implementing a monitoring and evaluation project since 2005 on the scope and quality of human rights education in primary and secondary schools as part of the national plan for human rights education in the education system. The Ministry of Education in Lebanon with international support is carrying out a civic education survey. Inspectors in Belgium (Flemish community) monitor whether and how the "Decree on participation", which was approved by the Flemish Parliament on 1 April 2004 as a legal framework for participation in schools, is being implemented. The cross-curriculum attainment targets, especially citizenship education, have recently been evaluated and show the positive impact of citizenship education and democratic school organization on the development of knowledge and democratic attitudes among pupils.

Final observations

49. Most countries responding to the evaluation questionnaire felt they were making at least moderate progress in ensuring that the learning environment promotes human rights education, while the secondary analysis only found a handful of countries which appear to have related initiatives. The respondents highlighted several examples of national-level initiatives which promote the engagement and participation of students and interaction between schools and the wider community; it seems to be widely understood that human rights education goes beyond the formal curriculum, as its scope is to equip all school actors, and in particular students, with not only knowledge but also skills to be active citizens and human rights advocates in their societies.

D. Teaching and learning

50. The fourth component of the plan of action recommends that "all teaching and learning processes and tools [be] rights-based (for instance, the content and

objectives of the curriculum, participatory and democratic practices and methodologies, appropriate materials including the review and revision of existing textbooks, etc.)" (para. 18 (d)). The present section focuses on issues other than the school curriculum, which has already been dealt with in section A above.

Teaching methods

51. The majority of Governments (over 60) felt they were making average if not comprehensive progress in introducing learning methodologies in human rights education activities which are child-friendly, learner-centred and encourage participation. Only a handful did not answer or said they had not made progress. Some countries provided further details showing how this was taking place. Thailand launched a child-friendly schools programme in six provinces in 1996, schools in Lithuania and Slovenia are specifically encouraged to use active learning methods, and Peru has developed a participatory project strategy in the area of citizenship and civic education. Namibia and Malaysia refer to strategies which include learner-centred participation. Cyprus reports participatory teaching and active learning methods such as projects, group work, drama and case studies. Cuba reports that civic education uses methods such as analysis of moral dilemmas, individual and collective reflection, the study of legal documents in the context of significant situations for moral education, critical comments of a text, self-expressive exercises and decision-making. Methods applied in Malta include debates, group work and role play.

Teaching and learning materials

52. Nearly all Governments (around 70) report that teacher guides, manuals, texts and other materials in primary and secondary education cover human rights principles either comprehensively or at least to an average degree. Only three countries reported that this was not happening. Material development is not always in the hand of the national Government and approval processes vary. The majority of the countries allow others such as publishing houses, individuals, authors, non-governmental organizations and international organizations to play a role. Switzerland is one of a few countries to report having carried out a comprehensive review and identifying gaps in materials. Angola is producing manuals on human rights education for primary and secondary schools. Among the materials developed in the United Kingdom (Scotland) to tackle racial discrimination are "Educating for race equality — a toolkit for Scottish teachers" and "Show racism the red card". In the Democratic Republic of the Congo, pedagogical materials in use include those produced by religious institutions. Non-governmental organizations also offer teaching materials, for example in Germany, Israel and Estonia (produced by the Estonian Association of Parents or the Estonian Union for Child Welfare). El Salvador uses materials developed, inter alia, by the national human rights institution (*Procuraduría para la Defensa de los Derechos Humanos*), Universidad Centroamericana "José Simeón Cañas", the Inter-American Institute of Human Rights and other bodies. Countries like Algeria, Côte d'Ivoire, Cyprus, Madagascar, Slovakia and Switzerland report using materials produced by international organizations. For example, the Ministry of Education of Cyprus promotes the use of "Compasito", the Council of Europe's manual on human rights education for children, while Slovakia and Switzerland have translated or adapted "Compass" (for young people) for use at schools. Kazakhstan reports using a publication of the

International Organization for Migration for lessons concerning slavery, while Monaco makes use of materials from the International Organization of La Francophonie.

Final observations

53. Most Governments which responded to the questionnaire feel they are making at least average, if not comprehensive, progress in developing and disseminating teaching and learning materials and methodologies for human rights education. The secondary analysis found brief references showing that approximately 19 additional countries are taking some steps to tackle these issues.

E. Education and professional development of teachers and other personnel

54. The fifth component of the plan of action focuses on "providing the teaching profession and school leadership, through pre- and in-service training, with the necessary knowledge, understanding, skills and competencies to facilitate the learning and practice of human rights in schools, as well as with appropriate working conditions and status" (para. 18 (e)).

Teacher training

55. Around half the respondents (38) reported that human rights are included in three types of training: pre-service, in-service and head teacher training; some say that human rights are included in certain types of training and not others (head teacher training seems to incorporate human rights least of all); and only one Government said there was no such training at any stage. There were some ambiguous replies concerning the inclusion and status of human rights education in teacher training, but generally the analysis shows that a minority of Governments (21) say this training is mandatory. These include Belarus, where it has been mandatory for all higher education institutions since 1998/99; and Kazakhstan, where teachers are expected to have knowledge of the law and rights, including legal instruments like the Convention on the Rights of the Child. In the Philippines, core trainers in the regions provide human rights training to others. Human rights education has been compulsory for teachers and other education staff in Serbia for 10 years; those who teach civic education (including some subjects explicitly concerned with human rights) are required to undergo specified training. In Mauritania, human rights generally constitute a separate test, independent of others, in the context of examinations for the teaching profession. The "Pilot project on education for the enjoyment of human rights" in Colombia, which seeks to implement human rights education at the pre-school, primary and secondary levels, includes pre-service and in-service training of teachers and other educational staff in pedagogical methods for human rights and citizenship education.

56. Obligations vary depending on the type of training. In some countries such as Peru, initial human rights training is mandatory but in-service training is optional. The situation is the same in Portugal, where education for citizenship, including for human rights, is a compulsory curricular domain of initial teacher training and is optional in continuous training. In Spain, specific targets have been set for the inclusion of human rights in Masters courses including degrees in early childhood

education and elementary education. In Ukraine, it is a mandatory part of five yearly refresher courses attended by teachers. In the United Kingdom (England), prospective teachers need to achieve set standards, including in the area of human rights education, in order to achieve qualified status.

57. Even where it is mandatory, there may flexibility in the way training is provided on the ground in terms of hours and methods used. Governments often gave details on how many hours are offered on teacher training courses but it is impossible to generalize from this information; there is major variation with courses lasting from 1 to 2 hours to 100 hours. Furthermore, it is not known how much specific time is allocated to human rights education since it is usually integrated into wider subjects. In Japan, teacher training for new and experienced teachers is provided for by law and implementation is mandatory; the contents of the training are left to the discretion of prefectural boards of education working within the parameters of central guidance. The National Centre for Teachers' Development also provides a course on "Training for development of human rights education instructors".

Evaluation of teacher training in human rights education

58. Such evaluation does not appear to occur systematically. Most respondents suggest that this happens through participant feedback (e.g. Estonia and Israel) or through evaluations by the institutions running these courses (Honduras and Mexico). In Lithuania, at the end of teacher training courses, trainees fill in assessment forms on the relevance, utility and impact of training activities. In Japan, participants are able to appraise both the courses and themselves during the training provided by the National Centre for Teachers' Development. There are a few examples of a broader approach. In Cyprus, the recently established Centre for Educational Research and Evaluation in the Ministry of Education and Culture undertakes research on the effectiveness of teacher training programmes. In Algeria, teachers are assessed by education inspectors and heads of school who watch the teaching of human rights in practice, for example, by observing classes on gender equality or the African Charter.

Training resources

59. Nearly all Governments confirmed that the sharing and dissemination of resources and materials to support teacher training was taking place. Practice and methodologies vary enormously; dissemination is done through books, publications, CDs, videos, workshops and seminars. The responses from Member States do not always give a sense of what the scale of these activities might be. Methods for disseminating information include networking opportunities. In Cyprus, inspectors exchange ideas and learning through networking. Croatia has set up a school network of county teacher councils (regional councils) for each school subject including education for democratic citizenship/human rights education since 2006 so that the best teachers are appointed as county coordinators. Their teaching load and pay are adjusted to allow them to carry out these activities.

60. Some countries using Web portals to give teachers access to materials, e.g. Austria (www.politik-lernen.at), Costa Rica (www.educatico.ed.cr), France (eduscol.education.fr), Switzerland (www.globaleducation.ch) and Belgium (French community) (www.enseignement.be). The United Kingdom (England) has set up a

portal for citizenship and education for sustainable development (www.citized.info) with some 416 resources on human rights education. It is also collaborating with networks of non-governmental organizations and universities in the sharing of information. Mexico has set up a library on civic education and ethics, as well as a website and information and documentation centre on indigenous education. In Austria, every teacher has the possibility to order free of charge or to download teaching and information material.

Teacher recruitment and promotion policies

61. Nearly all Governments affirmed that policies for teacher recruitment, retention and promotion reflect human rights principles; only seven said they were not meeting this standard. Mauritius further explained that this is achieved through manuals on school management and personnel management which detail the conditions of work and the rights of employees; furthermore, private secondary schools which fall under the purview of the Private Secondary School Authority have parallel regulations for schools and teachers. Côte d'Ivoire referred to civil service regulations and labour codes. In Japan, the recruitment and promotion of teachers is administered in accordance with principles of equality and non-discrimination as stated in the Local Public Service Act. The boards of education of eight prefectures/cities out of 65 expressly include in their vacancy announcements strong awareness or respect for human rights as a requisite for hiring teachers.

Final observations

62. Most countries that responded to the questionnaire feel they are providing opportunities for teacher training. However, the absence of detailed supporting information gives the impression that, overall, such training is haphazard, optional and variable in terms of quality and time, and with limited access to materials and tools. The report on the recent UNESCO consultation on the implementation of the 1974 Recommendation concerning human rights education noted that "several countries raised obstacles concerning insufficient pre-service and in-service training as well as the lack of clear guidelines and relevant materials for teachers and school personnel, including managers and administrators at the local level. Teachers are often overwhelmed by the diverse demands put on them".[5] The analysis of secondary sources found an additional 18 countries taking up the issue of teacher training on human rights education.

III. Conclusions and recommendations

63. In paragraph 27 of the plan of action, Member States were encouraged to undertake, as a minimum action in the first phase, the first two stages of national implementation of the World Programme for Human Rights Education, i.e. a situation analysis (stage one) and the setting of priorities and development of a national implementation strategy (stage two). The majority of Member States have confirmed that they are now, by and large, implementing human rights education programmes.

[5] UNESCO document 35 C/INF.23 (available from http://unesdoc.unesco.org), para. 21.

64. Some Governments acknowledge that the World Programme has played a role in facilitating progress at the national level. Several countries find it to be an important influence, including Algeria, Jordan and Venezuela (Bolivarian Republic of), which say that it was an important spur to national action. A few countries report activities specifically aimed at promoting the World Programme, for instance Côte d'Ivoire held a seminar at the official launch of national activities on the World Programme, and Greece reports featuring information about the World Programme on the Ministry of Education's website. However, a number of countries report not to have used this international framework as an opportunity to increase implementation of human rights education in their school systems; national action appears to have been occurring somewhat independently of the proclamation of the World Programme.

65. There continue to be challenges in national implementation. Among the commonly identified gaps are the absence of explicit policies and detailed implementation strategies for human rights education and the lack of systematic approaches to the production of materials, the training of teachers and the promotion of a learning environment which fosters human rights values. The decentralization of political structures and/or education provision in a number of countries further complicates the implementation of a centralized model.

66. The Coordinating Committee makes the following recommendations to Governments wishing to take further steps to implement human rights education in the school system:

(a) Take stock of national progress as measured against the detailed guidance provided in the plan of action in order to identify gaps, possible strategies and good practice;

(b) Review the following issues which have been identified in the present report to see if they are relevant to the national context and require attention:

(i) Overall review of the status of human rights education in the primary and secondary school system and development of a comprehensive implementation strategy, taking into consideration the guidance proposed by the plan of action;

(ii) And specifically, among other issues, the need for educational policy commitments explicitly referring to the human rights framework; development and implementation of policies on teacher training which make human rights education part of mandatory teacher qualification requirements; review of the national curricula to clarify how and to what extent human rights education is dealt with, including through integration of human rights in other subjects which are assumed to address them; and allocation of funding to human rights education as an identifiable item in the context of national education budgets;

(c) Make greater use of the human rights education materials and tools developed by national, regional and international institutions and organizations within or beyond the context of the World Programme, including information technology platforms, as a way of addressing resource issues at the national level such as the lack of funding, education and learning materials and specifically teacher-training materials, and in order to draw inspiration from other national practices;

(d) Take steps to ensure that private education providers are also integrating human rights education into their services;

(e) Participate in international and regional initiatives with regard to policy and programme development in the area of human rights education.

67. By establishing the open-ended World Programme for Human Rights Education, and more recently by launching a new international initiative concerning the development of a United Nations declaration on human rights education and training, the international community has reaffirmed its long-term commitment to pursue human rights education, which was already embodied in many international instruments. Although significant steps have been taken, progress remains uneven when considered from a global perspective. The World Programme's first phase has nevertheless provided an opportunity for focusing the attention of the international community on the importance of human rights education in the school system.

68. While the World Programme now transitions to its second phase (2010-2014) with a new focus on a variety of different sectors (i.e. higher education, teachers and educators, civil servants, law enforcement officials and military personnel), work on primary and secondary-level education needs to continue. Governments are encouraged to build on existing achievements, consolidate them and exert sustained efforts to advance human rights education in the school system as a holistic process concerning many areas of action, including educational policies, policy implementation measures, the learning environment, teaching and learning processes and tools and education and professional development of teachers and other education personnel. The plan of action for the first phase of the World Programme continues to constitute a significant guidance tool in this area, and the open-ended World Programme remains a common collective framework for action as well as a platform for cooperation between Governments and all other relevant stakeholders; its potential, in terms of enhancing national action towards the building of a universal culture of human rights, needs to be further exploited.

Annex I

List of Governments that responded to the evaluation questionnaire[a]

Albania
Algeria
Angola
Argentina
Australia
Austria
Barbados
Belarus
Belgium
Bolivia (Plurinational State of)
Burkina Faso
Cambodia
Chile
Colombia
Costa Rica
Côte d'Ivoire
Cuba
Cyprus
Czech Republic
Democratic Republic of the Congo
Egypt
El Salvador
Estonia
France
Gambia
Germany
Greece
Guatemala
Guyana
Honduras
Hungary
Indonesia
Iraq
Israel
Japan
Jordan
Kazakhstan
Kuwait
Lebanon
Lithuania
Madagascar
Malaysia
Malta
Mauritania
Mauritius

Mexico
Monaco
Montenegro
Morocco
Namibia
New Zealand
Nicaragua
Norway
Oman
Paraguay
Peru
Philippines
Portugal
Qatar (submissions from two different entities)
Russian Federation
Senegal (submission from two different entities)
Serbia
Slovakia
Slovenia
Spain
Sudan
Switzerland
Syrian Arab Republic
Thailand
Turkey
United Kingdom of Great Britain and Northern Ireland (separate submissions from England, Scotland and Northern Ireland)
Ukraine
Uruguay
Venezuela (Bolivarian Republic of)
Zambia
Zimbabwe

Annex II

List of Governments that submitted information on national human rights education initiatives in contexts other than the preparation of the present report[a]

Information on human rights education in countries whose Governments did not respond to the final evaluation questionnaire was also taken into account in the preparation of the present report. This information was found in various secondary sources as noted in the introduction to the report.

Afghanistan
Armenia
Azerbaijan
Brunei Darussalam
Bulgaria
Burundi
Cameroon
Cape Verde
Canada
Chad
China
Croatia
Denmark
Dominican Republic
Ecuador
Equatorial Guinea
Ethiopia
Finland
India
Indonesia
Gabon
Georgia
Guinea
Iceland
Italy
Kyrgyzstan
Lao People's Democratic Republic
Latvia
Lesotho
Liberia
Libyan Arab Jamahiriya
Liechtenstein
Luxembourg
Mongolia
Mozambique
Netherlands
Niger
Pakistan

[a] 57 countries as at 21 July 2010.

Panama
Poland
Republic of Korea
Republic of Moldova
Romania
Rwanda
Samoa
Saudi Arabia
Singapore
South Africa
Sri Lanka
Sweden
The former Yugoslav Republic of Macedonia
Timor-Leste
Togo
Trinidad and Tobago
Tunisia
Turkmenistan
Uzbekistan